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National Anti-Slavery Standard.

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Pro-Slavery.

MISSOURI-KANSAS LAW.

[We have already published the substance of the following atrocious enactment; but we desire every reader to preserve a copy in due form for reference, so we print it with all its formalities from an official copy "published by authority: Shawnee, M. L. S., John T. Brady, Public Printer." Here is the beautiful document; let John Van Buren and the other recreant Free Soilers of 1848 see their faces in it.]

AN ACT TO PUNISH OFFENCES AGAINST SLAVE PROPERTY.

SECTION 1. *Be it enacted by the Governor and Legislative Assembly of the Territory of Kansas*, That every person, bond or free, who shall be convicted of actually raising a rebellion or insurrection of slaves, free negroes or mulattoes, in this Territory, shall suffer death.

SEC. 2. Every free person who shall aid or assist in any rebellion or insurrection of slaves, free negroes or mulattoes, or shall furnish arms, or do any overt act in furtherance of such rebellion or insurrection, shall suffer death.

SEC. 3. If any free person shall, by speaking, writing or printing, advise, persuade or induce any slaves to rebel, conspire against or murder any citizen of this Territory, or shall bring into, print, write, publish, or circulate, or cause to be brought into, printed, written, published or circulated, or shall knowingly aid or assist in the bringing into, printing, writing, publishing or circulating in this Territory any book, paper, magazine, pamphlet or circular for the purpose of exciting insurrection, rebellion, revolt or conspiracy on the part of slaves, free negroes or mulattoes, against the citizens of the Territory or any part of them, such person shall be guilty of felony and suffer death.

SEC. 4. If any person shall entice, decoy, or carry away out of this Territory, any slave belonging to another, with intent to deprive the owner thereof of the services of such slave, or with intent to effect or procure the freedom of such slave, he shall be adjudged guilty of grand larceny, and, on conviction thereof, shall suffer death, or be imprisoned at hard labour for not less than ten years.

SEC. 5. If any person aid or assist in enticing, decoying, or persuading, or carrying away or sending out of this Territory, any slave belonging to another, with intent to procure or effect the freedom of such slave, or with intent to deprive the owner thereof of the services of such slave, he shall be adjudged guilty of grand larceny, and, on conviction thereof, shall suffer death, or be imprisoned at hard labour for not less than ten years.

SEC. 6. If any person shall entice, decoy, or carry away out of any State or Territory of the United States, any slave belonging to another, with intent to procure or effect the freedom of such slave, or to deprive the owner thereof of the services of such slave, and shall bring such slave into this Territory, he shall be adjudged guilty of grand larceny, in the same manner as if such slave had been enticed, decoyed or carried away out of this Territory, and in such case the larceny may be charged to have been committed in any County of this Territory into or through which such slave shall have been brought by such person, and, on conviction thereof, the person offending shall suffer death, or be imprisoned at hard labour for not less than ten years.

SEC. 7. If any person shall entice, persuade or induce any slave to escape from the service of his master or owner in this Territory, or shall aid or assist any slave in escaping from the service of his master or owner, or shall assist, harbour or conceal any slave who may have escaped from the service of his master or owner, he shall be deemed guilty of felony, and punished by imprisonment at hard labour for a term of not less than five years.

SEC. 8. If any person in this Territory shall aid or assist, harbour or conceal any slave who has escaped from the service of his master or owner in another State or Territory, such person shall be punished in like manner as if such slave had escaped from the service of his master or owner in this Territory.

SEC. 9. If any person shall resist any officer while attempting to arrest any slave that may have escaped from the service of his master or owner, or shall rescue such slave when in custody of any officer or other person, or shall entice, persuade, aid or resist such slave to escape from the custody of any officer or other person who may have such slave in custody, whether such slave have escaped from the service of his master or owner in this Territory or in any other State or Territory, the person so offending shall be guilty of felony, and punished by imprisonment at hard labour for a term of not less than two years.

SEC. 10. If any Marshal, Sheriff, or Constable, or the Deputy of any such officer, shall, when required by any person, refuse to aid or assist in the arrest and capture of any slave that may have escaped from the service of his master or owner, whether such slave shall have escaped from his master or owner in this Territory or any State or other Territory, such officer shall be fined in a sum of not less than one hundred nor more than five hundred dollars.

SEC. 11. If any person print, write, introduce into, publish or circulate, or cause to be brought into, printed, written, published or circulated, or shall knowingly aid or assist in bringing into, printing, publishing or circulating within this Territory, any book, paper, pamphlet, magazine, handbill, or circular, containing any statements, arguments, opinions, sentiment, doctrine, advice or inuendo, calculated to produce a disorderly, dangerous or rebellious disaffection among the slaves in this Territory, or to induce such slaves to escape from the service of their masters, or to resist their authority, he shall be guilty of felony, and be punished by imprisonment at hard labour for a term not less than five years.

SEC. 12. If any free person, by speaking or writing, assert or maintain that persons have not the right to hold slaves in this Territory, or shall introduce into this Territory, print, publish, write, circulate, or cause to be introduced into this Territory, written, printed, published, or circulated in this Territory, any book, paper, magazine, pamphlet, or circular, containing any denial of the right of persons to hold slaves in this Territory, such person shall be deemed guilty of felony, and punished by imprisonment at hard labour for a term of not less than two years.

SEC. 13. No person who is conscientiously opposed to holding slaves, or who does not admit the right to hold slaves in this Territory, shall sit as a Juror on the trial of any prosecution for any violation of any of the sections of this act.

This act to take effect and be in force from and after the 15th day of September, A.D., 1855.

J. H. STRINGFELLOW, Speaker of the House.

Attest. J. M. LYLE, Clerk.

THOMAS JOHNSON, President of the Council.

Attest, J. A. HALDERMAN, Clerk.

THE FALLACY OF THE NEW YORK TRIBUNE.

[From The Squatter Sovereign, of Aug. 28.]

IN a recent number of the *Tribune* the editor remarks that the annexation of Platte County, Missouri, to Kansas Territory is seriously contemplated by the rascals calling themselves the Kansas Legislature, at the same time expressing his approbation of the plan, and submitting his reasons, as follows:

He thinks that should the scheme proposed be consummated, then, at least, half of the so-called Legislature of Kansas might become citizens of the Territory for which they are now pretending to legislate. And again—to use a celebrated Hibernicism—that Missouri "would gain a loss," for, says the *Tribune*, "there does not exist this side of Botany Bay a Territory of the same size which endures a greater number of lawless ruffians on its soil."

In regard to this last declaration, we differ widely from the editor, and venture to assert that the sanctum of the *Tribune* contains a set of unprincipled rascals, whose daring and bare-faced villany is unequalled by the inhabitants of any land, country, or nation.

But as to the proposed annexation of Platte County, we think it "strange, passing strange," that a measure of such vast importance to the interests of our Territory should be canvassed by the Abolition journals of New York, when such an idea had never presented itself to either the citizens of Kansas or Platte; and consequently must consider it an effort on the part of designing enemies abroad to constitute that fertile, wealthy, populous and intelligent county, a bone of contention between Kansas and Missouri, in order to sever the bonds of sympathy, friendship and interest, now existing between them.

Well do they know the consequences which would necessarily follow such a result. *Kansas, deprived of the aid hitherto received from her Southern allies, would prove an easy prey to these rapacious thieves of the North.* If, however, the North flatter themselves that this can ever be done, we most humbly beg leave to undeceive them. We can tell the impertinent scoundrels of the *Tribune* that they may exhaust an ocean of ink, their Emigrant Aid Societies spend their millions and billions, their Representatives in Congress spout their heretical theories till doomsday, and his Excellency Franklin Pierce appoint Abolitionist after Free Soiler as Governor; *yet we will continue to tar and feather, drown, lynch and hang, every white-livered Abolitionist who dares to pollute our soil.*

And though our fair Territory may be refused admittance into the Union as a slaveholding State by the political demagogues of the North, we care as little for their decision as for the continued and futile attacks which have been made upon our rights by the indecisive Cabinet who now administer the affairs of our nation. *For we confidently hope that the last National Congress may meet in Washington on the first Monday in December next*; and we prophesy, with the firm conviction that time will verify our words, that never again will the Southern States of the Republic suffer dictation at the hands of a set of negro-stealers and rascals who stand pledged to war upon their rights until toleration ceases to be a virtue.

We ask the slaveholding community what object they had in view when, as *free, independent* and *sovereign* States, they consented to band themselves together under the Federal Constitution? Was it not for the purpose of securing sympathy and assistance from each and all, while they themselves should be protected from aggression on the part of friends or foes at home or abroad, at the same time preserving their identity as *sovereign* and *independent* members of the Confederation?

Now, if this Federal compact should at any time prove insufficient for protection, and a portion of the States should seek for their own aggrandizement to force or impose measures upon the remainder, in direct opposition to their interests and wishes, what interest have those whose rights are trampled on in the further observance of a compact which daily lessens their strength and serves to strip them of their few remaining means of defence?

For what are laws enacted, if not for the protection of person and property? The same Constitution recognises our slaves as property, and, if it is to be observed by us, must protect the rights of the slaveholder, in whatever portion of the Union he may be. *But when an individual State, such as Massachusetts or Ohio, sees fit to annul her Federal obligation and refuses to respect the rights of our citizens, are not the States whose rights are jeopardized thereby freed from their compact as clearly as if it were a mere civil contract between individuals?*

If this be true—and we scarcely think it can be denied even by the most prejudiced—then has the South had *sufficient cause to secede during every twelve months for the past ten years.* Her inalienable right to do so, individually or collectively, we do not intend to argue, for we consider it as a clear mathematical axiom, which none but fools and fanatics will attempt to dispute. If the Southern States have it not, what claim have they to their proud and boasted right of independence and sovereignty?

If it be not guaranteed by the Constitution, then they possess it by right of revolution, and let "the right makes the might" be their motto.

Selections.

THE WHEELER SLAVE CASE.

OPINION OF JUDGE KNOX—IN THE MATTER OF THE PETITION OF PASSMORE WILLIAMSON FOR A WRIT OF HABEAS CORPUS.

KNOX, J. I do not concur in the opinion of the majority of this Court refusing the writ of habeas corpus, and shall state the reasons why, in my judgment, the writ should be granted.

This application was made to the Court whilst holding a special session at Bedford, on the 13th day of August, and upon an intimation from the counsel that in case the Court had any difficulty upon the question of awarding the writ, they would like to be heard, Thursday, the 16th of August, was fixed for the hearing. On that day an argument was made, by Messrs. Meredith and Gilpin, in favour of the allowance of the writ.

I may as well remark here that, upon the presentation of the petition, I was in favour of awarding the habeas corpus, greatly preferring that the right of the petitioner to his discharge should be determined upon the return of the writ. If this course had been adopted, we should have had the views of counsel in opposition of the discharge, and, moreover, if necessary, we could, after the return, have examined into the facts of the case.

I am in favour of granting this writ, first, because I believe the petitioner has the right to demand it at our hands. From the time of Magna Chata the writ of habeas corpus has been considered a writ of right, which every person is entitled to *ex merito justicia*. "But the benefit of it," says Chancellor Kent, "was in a great degree eluded in England prior to the statute of Charles II., as the Judges only awarded it in term time, and they assumed a discretionary *power of awarding or refusing it.*"—2 Kent Commentaries, 26. And Bacon says, "Notwithstanding the writ of habeas corpus be a writ of right, and what the subject is entitled to, yet the provision of the law herein being in a great measure eluded by the Judge as being only enabled to award it in term time, as also by an *imagined notion of the Judges* that they had a discretionary power of granting or refusing it," the act of 31 Charles II. was made for remedy thereof.

I am aware that, both in England and this country, since the passage of the statute of Charles II. it has been held that where it clearly appeared that the prisoner must be remanded, it was improper to grant the writ, but I know of no such construction upon our act of 18th February, 1785. The people of the United States have ever regarded the privileges of the habeas corpus as a most invaluable right, to secure which an interdiction against its suspension, "unless when, in cases of rebellion or invasion, the public safety may require it," is inserted in the organic law of the Union, and, in addition to our act of 1785, which is broader and more comprehensive than the English statute, a provision in terms like that in the Constitution of the United States is to be found in the Constitution of this State.

It is difficult to conceive how words could be more imperative in their character than those to be found in our statute of '85. The Judges named are authorized and required, either in vacation or term time, upon the due application of any person committed or detained for any criminal or supposed criminal matter, except for treason or felony, or confined or restrained of his or her liberty, under any colour or pretence whatsoever, to award and grant a habeas corpus, directed to the person or persons in whose custody the prisoner is detained, returnable immediately. And the refusal or neglect to grant the writ required by the act to be granted renders the Judge so neglecting or refusing, liable to the penalty of three hundred pounds.

I suppose no one will doubt the power of the Legislature to require this writ to be issued by the Judges of the Commonwealth. And it is tolerably plain that where, in express words, a certain thing is directed to be done, to which is added a penalty for not doing it, no discretion is to be used in obeying the mandate.

The English statute confined the penalty to a neglect or refusal to grant the writ in vacation time, and from this a discretionary power to refuse it in term time was inferred, but an Act of Assembly does not limit the penalty to a refusal in vacation, but is sufficiently comprehensive to embrace neglect or refusal in vacation or in term time.

I have looked in vain through the numerous cases reported in this State to find that the writ was ever denied to one whose application was in due form, and whose case was within the purview of the Act of Assembly.

In Respublica vs. Arnold, 3 Yates, 263, the writ was refused because the petitioner was not restrained of his liberty, and therefore not within the terms of the statute; and in ex parte Lawrence, 5th Binney, 304, it was held that the Act of Assembly did not oblige the Court to grant a habeas corpus where the case had already been heard upon the same evidence by another Court. Without going into an examination of the numerous cases where the writ has been allowed, I believe it can be safely affirmed that the denial of the writ in a case like the present is without a precedent, and contrary to the uniform practice of the bench, and against the universal understanding of the profession and the people; but what is worse still, it appears to me to be in direct violation of the law itself.

It may be said that the law never requires a useless thing to be done. Grant it. But how can it be determined to be useless until the case is heard? Whether there is ground for the writ is to be determined according to law, and the law requires that the determination should follow, not precede, the return.

An application was made to the Chief Justice of this Court for a writ of habeas corpus previous to the application now being considered. The writ was refused, and it was stated in the opinion that the counsel for the petitioner waived the right to the writ, or did not desire it to be issued if the Chief Justice should be of the opinion that there was not sufficient cause set forth in the petition for the prisoner's discharge. But this can in nowise prejudice the petitioner's right to the writ which he now demands. Even had the writ been awarded, and the case heard, and the discharge refused, it would not be within the decision in exparte Lawrence, for there the hearing was before a Court in term time, upon a full examination of the case upon evidence adduced, and not at chambers; but the more obvious distinction here is that the writ has never been awarded. And the agreement of counsel that it should not be in a certain event, even if binding upon the client there, would not affect him here.

Now, while I aver that the writ of habeas corpus, *ad subjiciendum*, is a writ of right, I do not wish to be understood that it should issue, as a matter of course. Undoubtedly the petition must be in due form, and it must show upon its face that the petitioner is entitled to relief It may be refused if, upon the application itself, it appears that, if admitted to be true, the applicant is not entitled to relief; but where, as in the case before us, the petition alleges an illegal restraint of the petitioner's liberty, under an order from a Judge beyond his jurisdiction, we are bound, in the first place, to take the allegation as true; and so taking it, a probable cause is made out, and there is no longer a discretionary power to refuse the writ. Whether the allegation of the want of jurisdiction is true or not is determinable only upon the return of the writ.

If one has averred in his petition what, if true, would afford him relief, it is his constitutional right to be present when the truth of his allegations is inquired into; and it is also his undoubted right, under our Habeas Corpus Act, to establish his allegations by evidence to be introduced and heard upon the return of the writ. To deny him the writ is virtually to condemn him unheard; and as I can see nothing in this case which requires at our hands an extraordinary resistance against the prayer of the petitioner to show that his imprisonment is illegal, that he is deprived of his liberty without due course of law, I am in favour of treating him as like cases have uniformly been treated in this Commonwealth, by awarding the writ of habeas corpus, and reserving the inquiry as to his right to be discharged until the return of the writ; but as a majority of my brethren have come to a different conclusion, we must inquire next into the right of the applicant to be discharged as the case is now presented.

I suppose it to be undoubted law that in a case where a Court, acting beyond its jurisdiction, has committed a person to prison, the prisoner, under our habeas corpus act, is entitled to his discharge, and that it makes no difference whether the Court thus transcending its jurisdiction assumes to act as a Court of the Union or of the Commonwealth. If a principle, apparently so just and clear, needs for its support adjudicated cases, reference can be had to Wise vs. Withers, third Cranch, 331; first Peters' Condensed Reports, 552; Rose vs. Hinely, fourth Cranch, 241, 268; Den vs. Harden, first Paine Reports, 55, 58 and 59; third Cranch, 448; Bollman vs. Swartwout, fourth Cranch, 75; Kearney's case, seventh Wheaton, 38; Kemp vs. Kennedy, first Peters' C. C. R., 36; Wickes vs. Calk, 5 Har. and J., 42; Griffith vs. Frazier, eighth Cranch, 9; Com. vs. Smith, Sup. Court Penn., first Wharton's Digest, 321; Com. ex. relatione Lockington vs. the Jailor, &c., Sup. Court manuscript, 1814, Wharton's Digest, vol. 1st, 321; Albec vs. Ward, eighth Mass., 86.

Some of these cases decide that the act of a Court without jurisdiction is void; some, that the proper remedy for an imprisonment by a Court having no jurisdiction is the writ of habeas corpus; and others, that it may issue from a State Court to discharge a prisoner committed under process from a Federal Court, if it clearly appears that the Federal Court had no jurisdiction of the case; altogether, they establish the point that the petitioner is entitled to relief, if he is restrained of his liberty by a Court acting beyond his jurisdiction.

Neither do I conceive it to be correct to say that the applicant cannot now question the jurisdiction of the Judge of the District Court because he did not challenge it on the hearing. There are many rights and privileges which a party to a judicial controversy may lose if not claimed in due time, but not so the question of jurisdiction; this cannot be given by express consent, much less will acquiescence for a time waive an objection to it. (See U. S. Digest, vol. 1, p. 639, Pl. 62, and cases there cited.) It would be a harsh rule to apply to one who is in prison "without bail or mainprize" that his omission to speak on the first opportunity forever closed his mouth from denying the power of the Court to deprive him of his liberty. I deny that the law is a trap for the feet of the unwary. Where personal liberty is concerned, it is a shield for the protection of the citizen, and it will answer his call even if made after the prison door has been closed on him.

If, then, the want of jurisdiction is fatal, and the inquiry as to its existence is still open, the only question that remains to be considered is this: Had the Judge of the District Court for the Eastern District of the United States power to issue the writ of habeas corpus, directed to Passmore Williamson, upon the petition of John H. Wheeler. The power of that Court to commit for a contempt is not denied, and I understand it to be conceded as a general rule by the petitioner's counsel, that one Court will not reexamine a commitment for contempt by another Court of competent jurisdiction; but if the Court has no authority to issue the writ, the respondent was not bound to answer it, and his neglect or refusal to do so would not authorize his punishment for contempt.

The first position which I shall take, in considering the question of jurisdiction, is that the Courts of the United States have no power to award the writ of habeas corpus except such as is given to them by the acts of Congress.

"Courts which originate in the common law possess a jurisdiction which must be regulated by the common law; but the Courts which are created by written law, and whose jurisdiction is defined by written law, cannot transcend their jurisdiction. The power to award the writ by any of the Courts of the United States must be given by written law." Ex parte, Swartwout, 4th Cranch, 75; Ex parte Barre 2, Howard 65. The power of the United States to issue a writ of habeas corpus is derived either from the 4th section of the Act of 24th September, 1789, or from the seventh section of the Act of March 2, 1833.

The section from the Act of 1789 provides that "all the Courts of the United States may issue writs of scire facias, habeas corpus, and all other writs not especially provided for by statute, which may be necessary for the exercise of their respective jurisdictions, and agreeable to the principles and usages of law. And either of the Justices of the Supreme Court, as well as the Judges of the District Courts, may grant writs of habeas for the purpose of inquiry into the cause of commitment; but writs of habeas corpus shall in no case extend to prisoners in jail unless they are in custody under or by colour of the authority of the United States, or are committed for trial before some Court of the same, or are necessary to be brought into Court to testify." The 7th section of the Act of 2d March, 1833, authorizes "either of the Justices of the Supreme Court, or Judge of any District Court of the United States, in addition to the authority already conferred by law, to grant writs of habeas corpus in all cases of a prisoner or prisoners in jail or confinement, where he or they shall be committed or confined on or by authority of law for any act done or omitted to be done in pursuance of a law of the United States, or any order, process, or decree of any Judge or Court thereof, anything in any Act of Congress to the contrary notwithstanding."

Now, unless the writ of habeas corpus issued by the Judge of the District Court was necessary for the exercise of the jurisdiction of the said Court, or was to inquire into a commitment under or by colour of the authority of the United States, or to relieve some one imprisoned for an act done, or omitted to be done, in pursuance of a law of the United States, the District Court had no power to issue it, and a commitment for contempt in refusing to answer it is an illegal imprisonment, which, under our habeas corpus act, we are imperatively required to set aside.

It cannot be pretendad that the writ was either asked for or granted to inquire into any commitment made under or by colour of the authority of the United States, or to relieve from imprisonment for an act done or omitted to be done in pursuance of a law of the United States, and therefore we may confine our inquiry solely to the question whether it was necessary for the exercise of any jurisdiction given to the District Court of the United States for the Eastern District of Pennsylvania.

This brings us to the question of the jurisdiction of the Courts of the United States, and more particularly that of the District Court. And here, without desiring or intending to discuss at large the nature and powers of the Federal Government, it is proper to repeat what has been so often said, and what has never been denied, that it is a Government of enumerated powers, delegated to it by the several States, or the people thereof, without capacity to enlarge or extend the powers so delegated and enumerated, and that its Courts of justice are Courts of limited jurisdiction, deriving their authority from the Constitution of the United States, and the acts of Congress under the Constitution. Let us see what judicial power was given by the people to the Federal Government, for that alone can be rightly exercised by its Courts.

"The judicial power" (says the second section of the third article) "shall extend to all cases in law and equity arising under this Constitution, the laws of the United States, and treaties made or which shall be made under their authority, to all cases affecting embassadors, other public ministers and consuls, to all cases of admiralty and maritime jurisdiction, to controversies to which the United States shall be a party, to controversies between two or more States, between a State and citizen of another State, between citizens of different States, between citizens of the same State claiming lands under grants of different States, and between a State or the citizen thereof and foreign States, citizens or subjects."

The amendments subsequently made to this article have no bearing upon the question under consideration, nor is it necessary to examine the various acts of Congress conferring jurisdiction upon the Courts of the United States, for no act of Congress can be found extending the jurisdiction beyond what is given by the Constitution, so far as relates to the question we are now considering. And, if such an act should be passed, it would be in direct conflict with the 10th amended article of the Constitution, which declares that "the powers not delegated to the United States by the Constitution, nor prohibited by it to the States, are reserved to the States respectively or to the people."

If this case can be brought within the judicial power of the Courts of the United States, it must be either,

1st, Because it arises under the Constitution or the laws of the United States.

Or, 2d, Because it is a controversy between citizens of different States, for it is very plain that there is no other clause in the Constitution which, by the most latitudinarian construction, could be made to include it.

Did it arise under the Constitution or the laws of the United States? In order to give a satisfactory answer to this question, it is necessary to see what the case was.

If we confine ourselves strictly to the record from the District Court, we learn from it that, on the 18th day of July last, John H. Wheeler presented his petition to the Hon. J. K. Kane, Judge of the District Court for the Eastern District of Pennsylvania, setting forth that he was the owner of three persons held to service or labour by the laws of the State of Virginia; such persons being respectively named Jane, aged about thirty-five years; Daniel, aged about twelve years, and Isaiah, aged about seven years, persons of colour; and that they were detained from his possession by Passmore Williamson, but not for any criminal or supposed criminal matter. In accordance with the prayer of the petition, a writ of habeas corpus was awarded, commanding Passmore Williamson to bring the bodies of the said Jane, Daniel and Isaiah before the Judge of the District Court forthwith. To this writ, Passmore Williamson made a return, verified by his affirmation, that the said Jane, Daniel and Isaiah, nor either of them, were at the time of the issuing of the writ, nor at the time of the return, nor at any other time, in the custody, power or possession of, nor confined, nor restrained of their liberty by, him; and that, therefore, he could not produce the bodies as he was commanded.

This return was made on the 20th day of July, A. D. 1855. "Whereupon, afterwards, to-wit: On the 27th day of July, A. D. 1855 [says the record], the counsel for the several parties having been heard, and the said return having been duly considered, it is ordered and adjudged by the Court that the said Passmore Williamson be committed to the custody of the Marshal, without bail or mainprize, as for a contempt in refusing to make return to the writ of habeas corpus, heretofore issued against him, at the instance of Mr. John H. Wheeler."

Such is the record. Now, while I am willing to admit that the want of jurisdiction should be made clear, I deny that in a case under our habeas corpus act the party averring want of jurisdiction cannot go behind the record to establish its non-existence. Jurisdiction, or the absence thereof, is a mixed question of law and fact. It is the province of fact to ascertain what the case is, and of a law to determine whether the jurisdiction attaches to the case so ascertained. And says the 2d section of our act of '85, "and that the said Judge or Justice may, according to the intent and meaning of this act, be enabled, by investigating the truth of the circumstances of the case, to determine whether, according to law, the said prisoner ought to be bailed, remanded or discharged, the return may, before or after it is filed, by leave of the said Judge or Justice, be amended and also suggestions made against it, so that thereby material facts may be ascertained."

This provision applies to cases of commitment or detainer for any criminal or supposed criminal matter, but the 14th section, which applies to cases of restraint of liberty "under any colour or pretence whatever," provided that "the Court, Judge, or Justice, before whom the party so confined or restrained shall be brought shall, after the return made, proceed in the same manner as is heretofore prescribed, to examine into the facts relating to the case, and into the cause of such confinement or restraint, and thereupon either bail, remand or discharge the party so brought, as to justice shall appertain."

The right and duty of the Supreme Court of a State to protect a citizen thereof from imprisonment by a Judge of a United States Court having no jurisdiction over the cause of complaint, is so manifest and so essentially necessary under our dual system of Government, that I cannot believe that this right will ever be abandoned or the duty avoided; but, if we concede, what appears to be the law of the later cases in the Federal Courts, that the jurisdiction need not appear affirmatively, and add to it that the want of jurisdiction shall not be proved by evidence outside of the record, we do virtually deny to the people of the State the right to question the validity of an order by a Federal Judge consigning them to the walls of a prison "without bail or mainprize."

What a mockery to say to one restained of his liberty, "True, if the Judge or Court under whose order you are in prison acted without jurisdiction, you are entitled to be discharged, but the burden is upon you to show that there was no jurisdiction, and in showing this we will not permit you to go beyond the record made up by the party against whom you complain."

As the petitioner would be legally entitled, upon the return of the writ, to establish the truth of the facts set forth in his petition, so far as they bear upon the question of jurisdiction, we are bound before the return to assume that the facts are true as stated, and, so taking them, the case is this:

John H. Wheeler voluntarily brought into the State of Pennsylvania three persons of colour, held by him in the State of Virginia as slaves, with the intention of passing through this State. While on board of a steamboat near Walnut street wharf, in the City of Philadelphia, the petitioner, Passmore Williamson, informed the mother that she was free by the laws of Pennsylvania, who, in the language of the petition, "expressed her desire to have her freedom; and, finally, with her children, left the boat of her own free will and accord, and without coercion or compulsion of any kind; and having seen her in possession of her liberty with her children, your petitioner (says the petition) returned to his place of business, and has never since seen the said Jane, Daniel and Isaiah, or either of them, nor does he know where they are, nor has he had any connection of any kind with the subject."

One owning slaves in a slave State voluntarily brings them into a free State, with the intention of passing through the free State. While there, upon being told that they are free, the slaves leave their master. Can a Judge of the District Court of the United States compel their restoration through the medium of a writ of habeas corpus directed to the person by whom they were informed of their freedom? Or, in other words, is it a case arising under the Constitution and laws of the United States?

What article or section of the Constitution has any bearing upon the right of a master to pass through a free State with his slave or slaves? Or, when has Congress ever attempted to legislate upon the question? I most unhesitatingly aver that neither in the Constitution of the United States nor in the Acts of Congress can there be found a sentence which has any effect upon this question whatever. It is a question to be decided by the law of the State where the person is for the time being, and that law must be determined by the Judges of the State, who have sworn to support the Constitution of the State as well as that of the United States—an oath which is never taken by a Federal Judge.

Upon this question of jurisdiction it is wholly immaterial whether, by the law of Pennsylvania, a slaveholder has or has not the right of passing through our State with his slaves. If he has the right, it is not in virtue of the Constitution or laws of the United States, but by the law of the State; and if no such right exists, it is because the State law has forbidden it, or has failed to recognise it. It is for the State alone to legislate upon this subject, and there is no power on earth to call her to an account for her acts of omission and commission in this behalf.

If this case, by any reasonable construction, be brought within the terms of the third clause of the second section of article four of the Constitution of the United States, jurisdiction might be claimed for the Federal Courts, as then it would be a case arising under the Constitution of the United States, although I believe the writ of habeas corpus is no part of the machinery designed by Congress for the rendition of fugitives from labour.

"No person (says the clause above mentioned) held to service or labour in one State under the laws thereof escaping into another shall, in consequence of any law or regulation therein, be discharged from such service or labour, but shall be delivered up on claim of the party to whom such service or labour may be due." By reference to the debates in the Convention, it will be seen that this clause was inserted at the request of delegates from Southern States, and on the declaration that, in the absence of a Constitutional provision, the right of reclamation would not exist unless given by State authority. If it had been intended to cover the right of transit, words would have been used evidencing such intention. Happily there is no contrariety in the construction which has been placed upon this clause in the Constitution. No Judge has ever so manifestly disregarded its plain and unequivocal language as to hold that it applies to a slave voluntarily brought into a free State by his master. On the contrary, there is abundant authority that such a case is not within either the letter or the spirit of the constitutional provision for the rendition of the fugitives from labour. Said Mr. Justice Washington, ex parte Simmons, 6 W. C. C. Reports, 396:

"The slave in this case having been voluntarily brought by his master into this State, I have no cognizance of this case, so far as respects this application, and the master must abide by the laws of this State, so far as they may affect his right. If the man claimed as a slave be not entitled to his freedom under the laws of this State, the master must pursue such remedy for his recovery as the laws of the State have provided for him."

In Jones vs. Vanzandt, 5th Howard, 259, Mr. Justice Woodbury uses language equally expressive: "But the power of national law," said that eminent jurist, "to pursue and regain most kinds of property in the limits of a foreign government is rather an act of comity than strict right, and hence, as property in persons might not thus be recognised in some of the States in the Union, and its reclamation not be allowed through either courtesy or right, this cause was undoubtedly introduced into the Constitution as one of its compromises for the safety of that portion of the Union which did not permit such property, and which otherwise might often be deprived of it entirely by its merely crossing the line of an adjoining State; this was thought to be too harsh a doctrine in respect to any title to property of a friendly neighbour, not brought nor placed in another State under State laws by the owner himself, but escaping there against his consent and often forthwith pursued in order to be reclaimed."

Other authorities might be quoted to the same effect, but it is unnecessary; for if it be not clear that one voluntarily brought into a State is not a fugitive, no judicial language can ever make it so. Will we, then, for the sake of sustaining this jurisdiction, presume that these slaves of Mr. Wheeler escaped from Virginia into Pennsylvania, when no such allegation was made in his petition, when it is expressly stated in the petition of Mr. Williamson, verified by his affirmation, that they were brought here voluntarily by their master, and when this fact is virtually conceded by the Judge of the District Court in his Opinion? Great as is my respect for the judicial authorities of the Federal Government, I cannot consent to stultify myself in order to sustain their unauthorized judgments, and more particularly where, as in the case before us, it would be at the expense of the liberty of a citizen of this Commonwealth.

The only remaining ground upon which this jurisdiction can be claimed is that it was in a controversy between citizens of different States, and I shall dismiss this branch of the case simply by affirming—1, that the proceeding by habeas corpus is in no legal sense a controversy between private parties; and 2, if it were, to the Circuit Court alone is given the jurisdiction. For the correctness of the first position, I refer to the opinion of Mr. Justice Baldwin, in Holmes vs. Jennifer, published in the appendix to 14 Peters, and to that of Judge Betts, of the Circuit Court of New York, in Berry vs. Mercein et al., reported in 5 Howard, 103. And for the second, to the 11th section of the Judiciary Act, passed on the 24th of September, 1789.

My view of this case had been committed to writing before I had seen or heard the Opinion of the majority of the Court. Having heard it hastily read but once, I may mistake its purport; but if I do not, it places the refusal of the habeas corpus mainly upon the ground that the conviction for contempt was a separate proceeding, and that, as the District Court had jurisdiction to punish for contempts, we have no power to review its decision. Or, as it appears from the record that the prisoner is in custody upon a conviction for contempt, we are powerless to grant him relief.

Notwithstanding the numerous cases that are cited to sustain this position, it appears to me to be as novel as it is dangerous. Every Court of justice in this country has, in some degree, the power to commit for contempt. Can it be possible that a citizen once committed for contempt is beyond the hope of relief, even although the record shows that the alleged contempt was not in the power of the Court to punish summarily? Suppose that the Judge of the District Court should send to prison an editor of a newspaper for a contempt of his Court in commenting upon his decision in this very case; would the prisoner be beyond the reach of our writ of habeas corpus? If he would, our boasted security of personal liberty is in truth an idle boast, and our constitutional guaranties and writs of right are as ropes of sand. But, in the name of the law, I aver that no such power exists with any Court or Judge, State or Federal; and if it is attempted to be exercised, there are modes of relief, full and ample, for the exigency of the occasion.

I have not had either time or opportunity to examine all of the cases cited, but, as far as I have examined them, they decide this and nothing more—that where a Court of competent jurisdiction convicts one of a contempt, another Court, without appellate power, will not reexamine the case to determine whether a contempt was really committed or not. The history of punishments for contempts of Courts, and the legislative action thereon, both in our State and Union, in an unmistakable manner reaches, first, the liability of this power to be abused; and second, the promptness with which its unguarded use has been followed by legislative restrictions. It is no longer an undefined, unlimited power of a star chamber character, to be used for the oppression of the citizen at the mere caprice of the Judge or Court, but it has its boundaries so distinctly defined that there is no mistaking the extent to which our tribunals of law may go in punishment for this offence.

In the words of the act of Congress of 2d March, 1831, "The power of the several Courts of the United States to issue attachments, and inflict summary punishments for contempts of Court, shall not be construed to extend to any cases except the misbehaviour of any person or persons in the presence of said Courts, or so near thereto as to obstruct the administration of justice, the misbehaviour of any of the officers of the said Courts in their official transactions, and the disobedience or resistance by any officer of the said Courts, party, jurors, witness, or any other person or persons, to any *lawful* writ, process, order, rule, decree, or command of said Courts."

Now, Passmore Williamson was convicted of a contempt for disobeying a writ of habeas corpus, commanding him to produce before the District Court certain persons claimed by Mr. Wheeler as slaves. Was it a lawful writ? Clearly not, if the Court had no jurisdiction to issue it; and that it had not, I think is very plain. If it was unlawful, the person to whom it was directed was not bound to obey it; and, in the very words of the statute, the power to punish for contempt "shall not be construed to extend to it."

But, says the opinion of the majority, he was convicted of a contempt of Court, and we will not look into the record to see how the contempt was committed. I answer this by asserting that you cannot see the conviction without seeing the cause: 1, of the petition; 2, the writ and the alias writ of habeas corpus; 3, the return: and 4, the judgment.

"It is ordered and adjudged by the Court that the said Passmore Williamson be committed to the custody of the Marshal without bail or mainprize, as for a contempt in refusing to make return to the writ of habeas corpus heretofore issued against him at the instance of Mr. John H. Wheeler." As I understand the opinion of a majority of my brethren, as soon as we get to the word contempt, the book must be closed, and it becomes instantly sealed as to the residue of the record. To sustain this commitment we must, it seems, first presume, in the very teeth of the admitted fact, that these were runaway slaves; and second, we must be careful to read only portions of the record lest we should find that the prisoner was committed for refusing to obey an unlawful writ.

I cannot forbear the expression of the opinion that the rule laid down in this case by the majority is fraught with great danger to the most cherished rights of the citizens of the State. While in contests involving the right of property merely, I presume we may still treat these judgments of the United States Courts, in cases not within their jurisdiction, as nullities; yet, if a single Judge thinks proper to determine that one of our citizens has been guilty of contempt, even if such determination had its foundation in a case upon which the Judge had no power to pronounce judgment, and was most manifestly in direct violation of a solemn act of the very legislative authority that created the Court over which the Judge presides, it seems that such determination is to have all the force and effect of a judgment pronounced by a Court of competent jurisdiction, acting within the admitted sphere of its constitutional powers.

Nay, more. We confess ourselves powerless to protect our citizens from the aggressions of a Court, as foreign from our State government in matters not committed to its jurisdiction as the Court of Queen's Bench, in England, and this upon the authority of decisions pronounced in cases not at all analogous to the one now under consideration. I believe this to be the first recorded case where the Supreme Court of a State has refused the prayer of a citizen for the writ of habeas corpus to inquire into the legality of an imprisonment by a Judge of a Federal Court for contempt, in refusing obedience to a writ void for want of jurisdiction.

I will conclude by recapitulating the grounds upon which I think this writ should be awarded.

1. At common law, and by our statute of 1785, the writ of habeas corpus ad sufficiendum is a writ of right, demandable whenever a petition in due form asserts what, if true, would entitle the party to relief.

2. That an allegation in a petition that the petitioner is restrained of his liberty by an order of a Judge or Court without jurisdiction shows such probable cause as to leave it no longer discretionary

lature as a legal body and so would be (good). He regarded their laws as binding on every citizen of the Territory, and would use all his Executive power and authority to carry them into effect (cheers). He said he did not intend to address them on the various questions that divided the parties in the Territory: perhaps he did not understand them; and he had not expected to speak on this occasion. To one subject, however, he would allude—Slavery. His official life and career were not unknown to a portion, at least, of the citizens of Kansas. He had no intention of changing his political faith. He thought, with reference to slavery, that as Missouri and Kansas were adjoining States, as much of that immense commerce up the Missouri which was already rivaling the commerce between the United States and some European countries, must necessarily lead to great trade, and perpetual intercourse between them, it would be well if their institutions should harmonize—as, otherwise, there would be continual quarrels and border feuds. *He was for slavery in Kansas* (loud cheers). After thanking the audience, the new Governor withdrew.

Gen. Whitfield spoke next. His speech, to use a Dutch phrase, was "worse as bad"; it was far inferior even to his anti-eloquent address to the delegates at the Shawnee Mission.

Cries were raised for Gen. Barbee, but the gallant brigadier suddenly bolted.

The audience then shouted for Parks.

Col. Hay mounted the steps. I am requested to say that Mr. Parks's modesty prevents him from speaking.

A free-and-easy voice: "Well, Colonel, I hope nothing 'll prevent you from speaking."

Col. Hay, with dignity: "Sir, I speak at the point of the pen, or to reasonable gentlemen—never to an excited crowd."

The crowd happened to be in a good humour, and took this severe cut as a jest, and cheered the speaker.

You will observe that Gov. Shannon hinted that he might require the aid of Missourians; for the crowd that he addressed was composed of residents of Westport, and Westport is in the State of Missouri. Whether the Governor is aware of this fact I know not; but I do know that he called the Kansas Legislature (when speaking to Missourians in Missouri) *your* Legislature.

PASSMORE WILLIAMSON.

From the Philadelphia North American and Gazette.

OUR readers must have observed that we have said nothing editorially about this unhappy case, in any of its various entanglements, but have been content to wait, yielding our columns readily to any temperate communication on the subject, till something like an adjudication of contested questions of right should be pronounced. That has now been done, the highest judicial authority of the State having decided that the prisoner, who was convicted in the Federal Court of what is called a contempt, was, so far as they could know, properly convicted, and must remain a convict. He must remain a hopeless prisoner, for no writ of right can rescue him—a hopeless prisoner, for no pardon is likely to reach him. If he were a mad robber, or a pirate, or a murderer on the high seas, his wife might go and beg for mercy and have a chance of getting it. But being convicted of no crime but of inferential contempt on a question of slavery—an evasion, an omission to tell all he knew or a suggestion of having said more than he ought to have said—being guilty of such a crime as this, and the judgment being made matter of record, there is no discernible relief. If Mr. Williamson recedes from his position, he is degraded. If Judge Kane retreats from his, he is stultified; and thus there is as dead a lock as the perplexities of human affairs ever presented. And around this complicated group are to be seen and heard not only those who, either from personal or social considerations, meditate solemnly on it, but also, fluttering and chirping, all manner of light headed gossips and mischief makers, such, we are sorry to say, as the Republican managers at Pittsburg, with their wild threats of pulling down prison walls, or the hangers on and officials of the Federal Government—pro-slavery lawyers and politicians—those who think it a part of political loyalty to be against Pennsylvania always. To no one of these last classes do we or our habitual Philadelphia readers belong. Neither fanatics nor busybodies, but claiming communion with those who think sadly and earnestly on what is doing in our midst, we desire to say a few words in all moderation and soberness on this painful topic. Our wish is to speak becomingly of the judicial tribunals of the land—of the Federal Court which took the first step, and of the State Court which took the last. The habit of offensively criticising the judgments of the law, is a very bad one, and we shall not be tempted by even high judicial example, to pronounce a decision "ridiculous," simply because we do not agree to it. Our position is one of dissent, but most respectful dissent, from that which, in one way or another, has become adjudicated law. Let us calmly review the facts as they have occurred.

Some time in July last, Mr. John H. Wheeler, of North Carolina, accredited Minister from the United States to that most unlucky region of the earth, called Nicaragua, set off from Washington to embark at New York. He owned three slaves, a mother and two children, whom, as slaves, he wished to take to Nicaragua. He selected New York as his place of embarcation, preferring it, even at the risk of losing his slaves, to either Baltimore or Norfolk, or any other Southern port. On his way he was told by a friend and professional adviser that he ran a risk in bringing slaves voluntarily into Pennsylvania, but in spite of warning, he brought them here. He might have been told that for very many years no slave-owner had ever brought slaves voluntarily into the State. Still, in he came. In some way the fact became known, and Mr. Passmore Williamson went to the wharf and conversed with the woman; and the slaves, by his intervention and that of others, accidentally or purposely present, were taken from or left Mr. Wheeler. In that intervention a personal difficulty occurred, in which Mr. Wheeler was assaulted by two negroes; but whether he was or was not by Mr. Williamson, is not yet judicially ascertained. There was no riot or disturbance of the public peace.

Now, we take occasion to say, that in our judgment, the manner of intervention by Mr. Williamson was ill-advised, especially as, measurably at least, it was attended by violence. We are not lawyers enough to determine whether a habeas corpus could have been sent out for the adjudication of the rights of these slaves, but we presume, if Mr. Wheeler could get a habeas corpus to recover them, Mr. Williamson could have got one to rescue them in the first instance. If he could, then he was wrong in what he did. By pursuing another course a great scandal and a great danger might have been averted; but, we are constrained to admit, that the active partizans of the anti-slavery cause are not much addicted to discreet or circumspect words or acts. They have a singular knack of putting themselves, their friends, and their cause in the wrong. Saying this, however, we are bound to add, that Mr. Williamson had a perfect right to advise these servants of their rights in Pennsylvania, and that in doing so he violated no law, and did no injury which penal law can reach.

Here let us pause on a question, vital, it seems to us—whether, on the eighteenth of July, when Mr. Wheeler brought his slaves from Naaman's creek to Walnut street wharf, it was not received, familiar law, that the voluntary introduction of slaves into Pennsylvania made them free? The act of 1847 said, in simple words, that the slave voluntarily brought here for any period of time, became free. That act, to which is appended the signature of Francis R. Shunk, a Pennsylvania Democratic Governor—that act which, in this particular, a series of Democratic Legislatures have never ventured to touch, thus precisely speaks; and to the common mind, at least, says, as it has an unquestionable right to say, that for no period of time shall slavery be intruded here. The new coinage of a right of transit had not then been struck, and we venture to say, that not only Passmore Williamson, the layman, but every Judge and lawyer in the State, comprising the Judges of the Supreme and the Federal Court, then thought the law of Pennsylvania to be as we have stated it. We are very sure that Judge Kane thought so on the *seventeenth* of July, 1855. If, instead of Passmore Williamson's volunteering to tell this woman and her children they were free, the woman herself, after being for some seven or eight hours in Pennsylvania, had accidentally met Judge Kane, or even Chief Justice Lewis on the wharf or the steamboat, and had quietly asked, "Am I free or not?" the answer would have been, without even a cautionary preliminary question, "Yes, as free as I or any one," and the notion of a right of transit, or a diplomatic privilege, would never have crossed the mind of either of these distinguished functionaries. Nay, we go a step further, and believe that had there been such a question and such an answer, and the woman had asked to be saved from new and foreign slavery, from being taken to the Mosquito coast or the swamps of Nicaragua, there to be disposed of according to Mr. Wheeler's necessities or inclinations, aid and assistance without violence would have been afforded, and Mr. Wheeler having been, as we have said, already warned, would have acquiesced. Now, this is all that Passmore Williamson did on the 18th of July. It is not necessary for our purposes to speculate as to what the ultimate decision may be as to what lawyers call the "status" of these human beings. It is enough to know that then such was thought to be the law. We are happy to find that one Judge of the Supreme Court—one, too, who, when he was elevated to the Bench, was elected by the largest majority ever given to a Judge in Pennsylvania, and who still commands public esteem, thinks so still. We need hardly say we refer to Judge Knox. The slaves left the custody of their former master, and Mr. Williamson, having given his name and address to Mr. Wheeler, saw no more of them, and left the city on an errand of private business.

This, if we mistake not—we mean the affair at the wharf—occurred between 4 and 5 o'clock in the afternoon of the 18th of July. On the same day, whether by daylight, by twilight or in hours of darkness, Mr. Wheeler files a petition to Judge Kane, of the District Court, swears to it in haste, and prays for a Habeas Corpus, directed to Mr. Williamson, to produce the three individuals made free by Mr. Wheeler's own act. His petition does not venture to assert they were held to service by any law of Pennsylvania, or of the United States, but by the laws of Virginia, and that they were detained by Passmore Williamson. This writ was not served personally, in consequence of the accidental absence of Mr. Williamson; and on the 19th of July we have a new feature, in the intervention of Mr. Vandyke, the District Attorney of the United States, who moves for what is called an *alias* writ of Habeas Corpus, directed to Williamson. In this new movement it would seem that Mr. Wheeler personally had no agency whatever, for all that was done was by Mr. Vandyke, the attorney of the United States, who is described in Judge Kane's opinion, not as counsel for Wheeler, but as *District Attorney*. Let the record speak for itself:

On which said 19th day of July, A. D. 1855, Mr. J. C. Van Dyke, for petitioner, presents the affidavit of William H. Miller, Deputy Marshal, setting forth the manner of service of said writ, to wit, that it was left at the corner of Seventh and Arch streets, and no return being made to the said writ, Mr. Van Dyke moves for an alias writ to be directed to the said Passmore Williamson, and thereupon it is ordered that an alias writ do issue, returnable to-morrow morning, at 10 o'clock, said writ to be served upon defendant at his place of residence. Which said writ is in the words following, to wit:

UNITED STATES, } S Ct.
Eastern District of Pennsylvania. }

[SEAL] J. K. KANE. } *The President of the United States*
TO
Passmore Williamson.

Greeting: We command you, as before we commanded you, that the bodies of Jane, Daniel, and Isaiah, persons of colour, under your custody, as it is said, detained by whatsoever names the said Jane, Daniel or Isaiah, or either of them, may be detained, together with the day and cause of their being taken and detained, you have before the Honourable John K. Kane, Judge of the District Court of the United States in and for the Eastern District of Pennsylvania, at the room of the District Court of the United States, in the city of Philadelphia, immediately then and there to do, submit to, and receive whatsoever the said Judge shall then and there consider in that behalf.

Witness the Honourable John K. Kane, Judge of said Court at Philadelphia, this nineteenth day of July, A. D. 1855, in the eightieth year of the Independence of the said United States.

(Signed) CHAS. F. HEAZLITT,
For Clerk of District Court.

To this writ, Passmore Williamson, on the 20th of July, made return in words of entire respect, that the reputed slaves were not then, nor at the time of the issuing the writ, nor at any time, in his custody, power or possession, nor were they ever restrained of their liberty by him, "therefore he *cannot* have the bodies of the said Jane, Daniel or Isaiah, or either of them, before your honour, as by the said writ he is commanded."

On this return, as we have said, perfectly respectful in its terms, Judge Kane adjudged Passmore Williamson guilty of a contempt "in refusing to make a return," and committed him to prison, where he now remains—the inmate of the common jail of this county, within the same walls and breathing the same atmosphere with felons of all descriptions. Now, on this state of facts, and we have endeavoured to recapitulate them fairly, it is difficult to withhold a pretty strong expression of opinion as to the conduct of the Judge who has thus summarily disposed of the liberty of a fellow-citizen, but it is our duty rather to justify than to enunciate such an opinion. We will endeavour to do so, simply and intelligibly. If a man is sent to jail for stealing, or murder, or rape, or any misdemeanour defined by law, we have no difficulty in understanding what it means. And when a sentence is pronounced for contempt, our mother wit tells us what *it* means too. But that there may be no mistake, we turn to the written law, and there we find it exactly described.

"The powers of the Courts of the United States," says the Act of Congress, "to inflict summary punishments for contempts, shall not be construed to extend to *any cases*, except the misbehaviour of any person in the presence of the Court, or so near thereto as to obstruct the administration of justice—the disobedience of any party or other person to any lawful writ, process, rule, order, decree or command of the said Court."

It is very clear that, in the ordinary sense of words, Mr. Williamson neither misbehaved nor disobeyed. He was respectful in manner. He obeyed the writ, and we have to turn to Judge Kane's opinion to discover where the contempt was—how he misbehaved—where he disobeyed—and, turning there, it is not easy, in the maze of flatulent rhetoric, to find it. A penal statute, we remember once to have read, must be construed strictly; and most strict, one would think, should be the construction of a statute which clothes a single judge with arbitrary power. Not so is Judge Kane's view of the written law. He says, for we use his very words, that Williamson's return was "illusory" and "evasive," and that he "being a white man, was the only person whose social training could interpret either his own duties or the rights of others under the Constitution of the land." Now, really, if we were not apprehensive that Judge Kane might take it into his head to imprison us, "being white men whose social training," &c., for contempt, and knowing that if he did, the Supreme Court of the State would not give us a *Habeas Corpus*, we should be tempted to call this mere twaddle—that sort of flimsy common-place with which feeble juridical writers disguise their weakness. Is it consistent with such an express definition of contempt as the act of Congress gives, that an *illusory* or an *evasive* return can be a contempt, whether it be made by black or white man—by the most ignorant negro porter that ever helped a fugitive to escape, or one (we are almost ashamed to repeat the sentence again) "whose social training could interpret either his own duties or the rights of others under the Constitution of the land?" Yet so, we are pained to say, it is proclaimed and maintained in high places, and Passmore Williamson, one of our Pennsylvania men, one who, whatever may be his errors of judgment, and we have not concealed our opinion of them, acted undoubtedly from motives of philanthropy, is the inmate of a jail because a Judge of a Court thinks he made an illusory return—because he said not too little but too much—and he is kept in prison because he is not willing to confess he committed perjury. One would think he would better deserve the prison if he did so confess.

In what we have ventured to say thus far, we have not alluded to the mere technical question of Judge Kane's entire want of jurisdiction in the case at all. We may refer to that hereafter, for we shall resume our comments, meaning, as far as in us lies, to expose the fearful and pernicious errors into which those who ought to know far more than we, have wilfully fallen. The subject has no attractions for us, and we have come to its discussion slowly and reluctantly, but feeling it to be our duty to consider it, we shall say what we have to say very plainly.

THE MODEL CHURCH.

THE church in West Avon, Ct., has gained among the surrounding churches the ironical title of "The Model Church," from the fact that it had a slaveholding member, who owned a plantation in Louisiana, where he resided part of the year. Efforts were long made in vain to induce the church to take notice of the man in the way of discipline, for as he was a good neighbour and citizen, and otherwise unimpeachable, and especially as he paid some twenty-five dollars a year towards the expenses, it was not judged expedient to molest him. Finally, one member became so disgusted with the church on this account as to refuse to hold fellowship with them, and was accordingly excommunicated. After a time, a neighbouring church made a movement to arraign the West Avon church before the Consociation for immorality and neglect of discipline in retaining a slaveholder. Then a committee was appointed to see the man, but he was taken ill and died before his case could come before the church. The church having suffered greatly in reputation on this account, to the grief of the pastor and of a portion of the members, an attempt was recently made to induce it to take a step that should indicate some progress. The following preamble and resolution were therefore offered by one of the members at a meeting specially convened for the purpose:

"Whereas, the question of the moral character of slavery is engaging the earnest attention of the Christian public, and is of deep interest to the cause of humanity and religion;

"Therefore, Resolved, That we do believe American slavery to be inconsistent with the spirit of the Gospel, which inculcates love to our neighbour, and requires that we do unto others as we would that they should do unto us, and furthermore commands that we have no fellowship with the unfruitful works of darkness but rather reprove them.

"And be it further resolved, That, as individuals and as a church, we will aim to discountenance and oppose this baleful system, by all appropriate and Christian means in our power."

By a majority of two the church voted that they would not even consider and discuss the resolutions. They accordingly dissolved the meeting and went home. No comment is needed.—*Hartford Religious Herald.*

THE NEXT GRAB.

THE Satanic, in chronicling the fall of Santa Anna, thus calls the attention of the slave-breeders to the new and boundless prospect of territorial aggrandizement which this event opens before them:

"This is the second signal overthrow of the opponents of the United States in Mexico and the second signal triumph of its friends. The present Revolution is a bond of union between the two countries—a cause of international rejoicing and thanksgiving. It is the mingling of kindred interests and the glorious success of measures intended for their security. It is the transformation of a long line of border feuds into an interchange of friendly offices and mutual courtesies—the *avant courriere* of ultimate annexation, of peaceful and harmonious union between the two countries; and in the present position of political parties in this country the result of this Revolution is peculiarly important. *With the whole of Mexico open to the South—a vast country, peculiarly adapted to slave labour, and ready to be incorported at some future day with the Southern States*—thus forming the basis of the most magnificent empire in the world—the projects of the Abolitionists become less and less fearful to all save the Northern States of the Union. Thus, in the progress of events in the South and West, the conservative and thoughtful men of the North may witness the end of their sectional madness. In this view, will they not reflect on the consequences of the success of the Abolition disunion fanatics at the approaching election?"

—Such is the momentous drama now unfolding before the American People, involving the fearful issue of slavery or freedom for the labouring class throughout one of the most genial, fertile and beautiful portions of the globe—a region larger in area than all the nations of Europe now allied in the war against Russia. Can we who deem Freedom Man's precious, God-given right afford—dare we resolve—to go on playing Whig and Democrat with reference to by-gone party contests and let slavery seize Mexico as she grasped Texas and is now calculating, through our divisions, to fasten upon Kansas?—*Tribune.*

MONUMENT TO ASA S. WING.—A correspondent of the *Tribune*, writing from Mexico, Oswego Co., Sept. 11th, says: "The erection of a monument to the memory of Asa S. Wing took place here to-day. Not less than three thousand people assembled to witness the ceremony. The day could not have been more favourable for exercises in the open air. The opening prayer was made by the Rev. Luther Lee, of Fulton. A hymn written for the occasion by the Rev. John Pierpont, was then sung by G. W. Clark and others. Then came the Address by Frederick Douglass, which was one of his best efforts. It was a very appropriate and feeling address, and did ample justice to the departed friend of the slave. It was extremely well received by the large audience. After a second piece of music by G. W. Clark and daughters, A. C. Hills, of Syracuse, pronounced a poem; and a choice one it was. Though young, he seemed to have long known Mr. Wing, and knew him but to love his many virtues, and admire his earnest, untiring and life-long devotion in an unpopular cause. After another piece of music, Mr. Douglass was again called out for a speech, which he proceeded to make on the stirring scenes of the day. He spoke of the Kansas outrages, and asked if any one present would vote this Fall for a man who was not known to be openly and avowedly opposed to Frank Pierce and his friends? An overwhelming no went up from the vast concourse of people. After a collection was made of between one and two hundred dollars, the audience moved to the yard, where the monument had been erected. It is a small plain shaft of fine Italian marble, with this inscription under his name: '*He trusted in God, and loved his neighbour.*' After a piece of music, and a few remarks from Mr. Douglass, the benediction was pronounced, and the audience dispersed."

National Anti-Slavery Standard.

WITHOUT COMPROMISE.—WITHOUT COMPROMISE.

NEW YORK, SATURDAY, SEPTEMBER 22, 1855.

MEETINGS IN PENNSYLVANIA.

THE Convention at Newtown is to be held on SATURDAY and SUNDAY, the 22nd and 23d inst., and not on the 21st and 22d, as erroneously advertised in the last STANDARD. The meeting is expected to be a large one. Among the speakers who are engaged to be present may be numbered Andrew T. Foss, Robt. Purvis, Mary Grew, Edward M. Davis, and J. Miller McKim.

A General meeting will also be held in the Horticultural Hall at West Chester, on WEDNESDAY, the 26th inst., at 10½ o'clock, A. M. ☞ The case of Passmore Williamson will be fully set forth, and discussed in all its bearings. ☜ It will be a meeting of deep interest, and should be one of overflowing numbers. There should be a full turn-out, not only of the people of Chester County, but of the friends in the adjacent parts of Lancaster and Delaware. Among the speakers who will be present, will be Andrew T. Foss, of Massachusetts, and that veteran champion and eloquent advocate of the cause, Charles C. Burleigh. Robert Purvis, Lucretia Mott, Thomas Whitson, J. M. McKim, and others, are expected to be in attendance.

DR. BRECKINRIDGE AGAIN.

"I beg you to consider that, in all recorded time, but two methods have been found whereby it was possible to solve that great problem of the general mixture of races on equal terms. It can be done where all have a common master—that is, under a form which indiscriminately enslaves all; or it can be done by means of the toleration of polygamy—that is, under a form where the civil equality is preceded and coerced by one of blood and household. Except by one or other of these means, or by both combined, the fundamental demand of your abolition hypothesis, after innumerable attempts upon every race of men under every form of civilization, has encountered only universal shipwreck."—*Letter of R. J. Breckinridge to Chas. Sumner.*

AMERICAN slaveholders have a mania for theorizing. They are constantly acting out some general principle. There is no class of men who live with such a consciousness of their historic importance and providential character. They breed, buy and sell negroes, but never, like merely commercial persons, for the private ends of gain; they do it to fulfil destiny! They disdain all motives lower than the interests of races and generations of men. They hunt, they flog, they brand, they manacle their degraded labourers, apparently in the mere wantonness of irresponsible power; but through all they are perfectly passionless; no low resentment affects their serene souls; they are consciously helping the Almighty govern the world; they are rounding the slow results of centuries to their harmonious and perfect consummation. They pocket the life-long earnings of three millions of men, magnificently rewarding them with two serge suits and twelve bushels of corn each a year, with the privilege of working Sundays on their own account, which to us appears the ineffable meanness of avarice. It is, however, no such thing; they are the friends of these dependent labourers, who, with sovereign contempt for the pragmatic interference of philanthropists, and the unwarrantable indignation of Abolitionists, are leading this race, Moses-like, through the wilderness of slavery, rather longer, indeed, than forty years, to the land of promise! Disagreeable duties often devolve upon them in their providential relation, but they have the nerve to go through with even the selling to the slave-drover of the black baby they mean to steal from the negro-quarters, while his mother is hoeing corn in the field; and to fill up the gang, they do not hesitate to trade off the "*mammy*" who nursed them, and the old preacher by whom (save the mark) *they were converted!* But let us not look with mere sectional aversion upon such transactions. Like Louis Napoleon's massacre of the second of December, it is all done to preserve society, about which we private and secular persons are so disregardful; to adjust the relation of race to race, and prevent the necessity of great crimes, which shall render government itself, if not society, an impossibility. To the slaveholder ever occurs the apprehension of some great social catastrophe, and he turns anxiously in his mind the question, whether he and the Almighty shall be able to govern the world, or whether it shall slip out of his hands and go to the devil in spite of him. To vex men oppressed with such weighty cares, to say nothing of the comparatively light task of administering the United States Government, must be indeed wanton and thoughtless.

When a man gets detected in stealing sheep, he generally submits to the punishment and disgrace entailed upon the practice, without stopping to confront the rest of the community, by courtesy called honest, with his *theory* of sheep-stealing. Doubtless he has one, more or less complex and complete, in which, save that honest men carry their notions with such a high hand, and give themselves such overweening airs of assurance, he might have considerable confidence; but since he is so largely outvoted and borne down by popular prejudices, who can deny that he acts discreetly in keeping his own peculiar opinions to himself? But let there be a *good many* men stealing sheep, and let them steal sheep a *good while*—that is, let sheep-stealing become an *institution*—and there would be sheep-stealing divines, who would see a providence in it; sheep-stealing jurists, who would argue you its accordance with natural rights; and sheep-stealing philosophers, who could make it apparent that human history could not take its normal course unless the practice were kept up; and thus the theory of the private sheep-stealer, which he was too modest to mention, would be launched upon the world under the best auspices, and with the greatest éclat.

We have pursued, dear Mr. Breckinridge, these large generalities purely out of deference to the philosophic vein in which you discuss the "whole negro question"; but we may as well be frank with you, and confess that it strains us considerably to expand our limited intellects into that wide sphere of thought and investigation in which slaveholders of culture are wont to grapple the difficulties of this subject. Pardon us if we assume anything which you have learned to doubt, if we assert as truisms propositions which you have discovered have no better basis than sectional prejudice.

You assert that the equality of races in this country can only be secured by the indiscriminate slavery of all races, or by polygamy. Who demands, or ever has demanded, an equality of races? Do you not see that you have raised a foreign and entirely irrelevant question? The anti-slavery enterprise proposes no equality of races, nor of individuals; it simply proposes that the race of men who have developed sufficient intelligence to be your useful slaves shall have accorded to them the personal, social and civil rights of men. It does not demand that they shall no longer till your fields, drive your coaches, cook your food, and black your boots. By no means. Let them seek and pursue such employments as are fitted to their intellect and culture. Let them be your servants as long as, by fair means, by your superior wisdom or superior virtue, you are able to maintain a social position above them; but recognise their right to enter into and remain in this relation freely, and to contract with you for the advantages derived from it, as you do with them. In one word, abandon forever this absurd, impious, atheistic idea of holding property in man, or even in creatures who, having the form and features of men, are apt to be mistaken for such. The question is a simple one of conscience between yourself and the one man whom you degrade, and not between you and the coloured race, either in Africa or America. The simple act of duty which you owe to that man in a civilized state of society, under a benign religion and democratic government, is one hampered by no real difficulties. It involves no violent social revolutions. The emancipated slave cannot step at once into your social position. It by no means follows that because you have given liberty to William, your hostler, to-night, he will come to you in the morning and propose for the hand of your daughter. This and the bugbear of having your throats cut as a reward for the boon of liberty are equally puerile and nonsensical. The feebleness of slavery will hang for ages on the limbs of the African race, and retard their progress; and this, so far from being a reason for keeping them in bondage, is a reason why they should be permitted at once to begin their long and weary way towards their just position in society.

But it is not true that different races cannot coëxist in the same State on terms of social equality without polygamy or general degradation. There has not been a people, whose annals have illustrated the pages of history, who have not been the production of mixed races. Rome, with her massive power, her splendid system of administration, which brought the whole world under the sway of law, was, from its very foundation, the growth of mixed and variant races. The English people, whose achievements in arts and in arms, in all which adorns the civilization which they lead, have made them conquerors of the world, derived their origin from the wild Britons, whom the Roman prætors used to sell as slaves in the streets of Rome—from the Danish pirates, once scourges of the world—from the Saxon serfs, who served their Norman conquerors five hundred years, and were transferred with their estates. The modern Spaniards, who, with the proud disdain of foreign races which characterizes the slaveholders of the South, drove the Moors, with their arts, their poetry and their chivalry, out of Spain, waned in power, as they degenerated in character, ever after the achievement. True, the process by which an enslaved race, through emancipation, political enfranchisement and social justice, struggles upward to social equality, which is alone the basis of coalition and fusion, is a slow one; but when that coalition is completed, the complex product is all the more valuable for the various elements that entered into its constitution. The real apprehension of the slaveholders is not that their emancipated slaves may be hindered and kept back in the social progress, but that they may advance too rapidly. They cannot bear to think of a race of men, whom they have so long degraded, exhibiting before their very eyes all the attributes and capacities of men. They cannot bear to think that the Douglasses, the Browns and the Clarks, whom they have flogged and sold like cattle, when slavery is abolished, will become lecturers and orators all through the South. They have conspired to affirm and maintain that the coloured men are nothing but tractable monkeys, and are determined that on this continent no opportunity shall be offered to disprove the libel.

Polygamy, so far from being a method of attaining a social equality in countries peopled by mixed races, is one of the fruits of slavery, and one of the obstacles to the attainment of just and equal institutions. Polygamy, which in the East is the accompaniment of slavery, and which reduces human beings to articles of merchandise, already exists substantially in the universal concubinage of the South. For, Oriental and Mormon marriage—any marriage that is not the pure union of one man with one woman—is nothing but adultery. So far from Southern polygamy tending to produce social equality, it is one of the main props of slavery. The connection of the slaveholder with his concubine does not elevate her in his affection or respect, nor does any instinct of parental tenderness pass, by the relation of parentage, to the coloured child, who is sold as remorselessly as a pig or a colt.

Nor is the indiscriminate enslavement of both races one of the alternatives that must follow as the result of emancipation. That, too, is the normal development of slavery. The slaveholders compensate for the degradation of the enslaved by their own growing degradation. Slavery is incompatible with education, with culture, with religion, with vigorous physical constitution even. The oppressor lashes himself to his victim and shares his fall. The process of social compensation in slaveholding communities is always this. A superior race makes slaves of an inferior, and thus brings them into the closest personal relations with itself. Through concubinage the superior communicates its vigour and force to the inferior, until, in process of time, the latter, adding to its power of numbers the transmitted attributes of its oppressor, emancipates itself, and becomes the controlling element of a new race.

Apropos of your whole letter, Mr. Breckinridge, you will pardon us the discourtesy of confessing that there seems to us something very ridiculous in your philosophy—that the ridiculous part of it is in your having a philosophy on the subject at all. It seems like the most untimely parenthesis of the boy, when his father was flogging him—"Stop, dad, let's argue"; or like the poor subterfuge of the thievish slave of the fatalistic Greek philosopher, "I was fated to steal"—never suspecting how completely his master could put him down with the correlative proposition, "Ay, and to be flogged, too." It does not seem to us that the slaveholders are the proper persons to adjust the providences of slaveholding; they have quite too deep an interest in the price of these poor men's toil and bodies to determine, from their point of view, the moralities of the relation.

"I move you," cried a Jacobin in the French Convention, "the arrestation of all knaves and dastards," which Mr. Carlyle thinks, and we think, a most excellent and sensible motion, and the great thing, as well there and then as here and now, to be done. We class you in the category of persons *to be arrested.* We have other work on hand with you than to discuss ethics. It is not altogether wholesome to stand arguing with criminals, either in or out of the dock. It is little likely that men with their heels upon the neck of the African will come to any valuable conclusions as to how and when they ought to let him up. While submitting to the flagellation of the moral sentiment of the world, you had better not stop to argue. It is a long lash, plied by hands a good way off, and don't seem to hurt much. Nor is it at all relevant to the matter that you were fated to steal this African race (which is quite likely to be true), since it is very obvious to all the world but yourselves that you are fated also to be unmercifully flogged for it. On the whole, we think you had better content yourselves with your short-lived immunity from *arrest*, and not by any untimely and foolish speech direct the vigilance of the world's police to your rascalities; for, no doubt some indignant individual is waiting for the opportunity to *move* with effect *the "arrestation"* of your kind of *knaves* and *dastards.* Other *knaves* have escaped arrest a good while, but their day came round at last, and so will yours. Those old Danish pirates we have alluded to had a long spell of impunity, and made quite a regular thing of burning, plundering and butchering more peaceable folks than themselves, and it even seemed a providential destiny that they should do such deeds; but means were found to *arrest* them long ago. The people of the Barbary States, your prototypes of Northern Africa, who had quite a permanent-looking institution of white slavery, kept up and thriving for hundreds of years, came to see, doubtless, how providential an office they were rendering to the poor Europeans whom they enslaved and oppressed; but in the end, with British and French and Spanish and American cannon, they *got arrested*, and the problem of "*mixed races*," over which their learned men and thinkers had puzzled in vain, was solved to their hand. The cannibals had their day, too, but they are *arrested* to the last man. In fact, among the great rascals of the world, it would verily seem as if your turn would come next. Till then, for Heaven's sake, do not *argue*, but content yourselves with the small revenge of lynching such unwary Abolitionists as happen in your midst, and be assured that your case will be attended to.

IMPEACHMENT OF JUDGE KANE.

THE proposition lately made by *The Tribune* to flood the next United States House of Representatives with petitions for the Impeachment of Judge Kane has been warmly responded to by various Journals in this and other States. We certainly hope it will be carried into effect in a manner so emphatic as to teach the judicial tools of the Slave Power that however they may hedge themselves about by legal subtleties and quibbles, they cannot escape the searching influence of a righteous public sentiment. We venture to suggest that the work of circulating petitions be confided to efficient committees in the respective States; that all the signatures in each State respectively, after being collected, be appended to one copy of the memorial; and then that the several State memorials be in their turn confided to a central committee, at Washington or elsewhere, and the whole combined in ONE MAMMOTH PETITION, to be presented to the House of Representatives in a manner suited to the importance and solemnity of the issue. We believe that, by a concerted and efficient effort, at least ONE MILLION SIGNATURES of adult males and females might easily be procured. It would be a larger memorial, probably, than has ever yet been presented to any legislative body, and the moral effect would be beyond all computation. The work of circulating the petitions would be useful in itself, by exciting conversation at the fireside, and discussion in public meetings and in the newspapers, besides affording many opportunities for the circulation of tracts and obtaining subscribers to anti-slavery papers.

If such a work is attempted, it ought to be done thoroughly. No spasmodic or half-way effort will answer. It will cost a great deal of time and considerable money, but if commenced aright and pursued with proper energy, it cannot fail. We are sure that there is not a County in any free State in which there cannot be found men and women who will promptly volunteer their aid. The great difficulty will be to find suitable persons to constitute the State central committees—persons of good business talent, who can, for a moderate compensation, devote their whole time for weeks, and months if need be, to the work of correspondence, organizing local committees, sending out memorials and receiving them again when signed, &c. The work is one in which persons of every shade of anti-slavery opinion can heartily coöperate.

We throw out this suggestion, without entering into further details at present, hoping it may arrest the attention of the friends of freedom, and especially of our cotemporaries of the press, in this and other States. If, upon mature consideration, the measure is generally approved by those whose judgment ought to be decisive in the case, the way will then be open to consider questions of ways and means.

PASSMORE WILLIAMSON.

RESOLUTIONS AND LETTER OF THE PHILADELPHIA FEMALE ANTI-SLAVERY SOCIETY.

To the Editors of The Standard.

AT a Meeting of the Philadelphia Female Anti-Slavery Society, held Sept. 13th, 1855, the following Resolutions were unanimously adopted:

Whereas, Since we last assembled together, our city, our State, and our nation, have been deeply disgraced by the illegal imprisonment of Passmore Williamson, by Judge Kane, on a charge of contempt of Court, in a case where he had no jurisdiction, and where the only offence of the prisoner was the exercise of his right, and the performance of his duty, in informing a free woman, once a slave, that, by the laws of Pennsylvania, she was made free; and,

Whereas, The Judges of the Supreme Court of the State of Pennsylvania have added to this disgrace, by refusing (by a vote of four to one) to grant a writ of habeas corpus to the said Passmore Williamson; and, in thus refusing, have not only daringly violated the plainly expressed and well understood law of habeas corpus, but, casting off the decent dignity appropriate to their office, have, also, impugned the motives and insulted the feelings of their noble prisoner; therefore,

Resolved, That we regard this act of Judge Kane's as a tyrannical usurpation of power, a bold defiance of the laws of Pennsylvania, an alarming invasion of State Rights, a precedent dangerous to the personal liberty of every citizen of the State, and a contemptible prostration of a Northern freeman before the altar of Southern Slavery.

Resolved, That in the conduct of the Bench of Judges of the Supreme Court of this State, in striking down that defence of liberty, the habeas corpus, we see lamentable evidence of the subserviency of Pennsylvania to her slave masters in the South, and of the alarming extent to which the evil influences of slavery have permeated the political and social institutions of the North, deteriorating the moral character, and impairing the moral sense of our citizens.

Resolved, That while we thus condemn and deplore the decision of the Bench, we accord all honour to Judge Knox, whose name will be held in grateful remembrance, by posterity, as that of one who, "faithful found among the faithless," ably and eloquently pronounced righteous judgment, in opposition to all his associates.

Resolved, That the general apathy of our religious denominations, in view of these outrages which have been perpetrated in their midst, is another evidence of the deep corruption and hypocrisy of the American church, which, while it arouses alarm and indignation, must, also, excite inexpressible grief in every truly Christian heart.

Resolved, That the true courage and Christian fortitude, the noble willingness to suffer in a righteous cause, and for the sake of his country's well-being, and the elevation of his race, manifested by Passmore Williamson, in this crisis, demand the admiration and high esteem of his fellow-countrymen; and that we hereby assure him of our hearty sympathy in the sacrifice and suffering by which he is now serving the anti-slavery cause.

Resolved, That we proffer the expression of our warmest sympathy to the wife of our imprisoned friend, who bravely shares with him this persecution for righteousness sake; and, in the name of the slave mothers and wives, on Southern plantations, whose deeper anguish calls on her for succour, and in the name of our country whose dearest rights and liberties are in imminent peril, we do beseech her to falter not in this stern trial, but, with all the strength and devotion of woman's heart, to minister to the fortitude and heroism of her high-souled husband.

Resolved, That these startling scenes, enacted in our midst, solemnly call upon *us* to examine the basis of our faith, and the strength of our principles, and to cherish a supreme and unflinching devotion to Truth and to Right, that we may be found faithful to Humanity and to God, when the time of *our* trial shall suddenly come, and the shadow of a prison fall across *our* pathway.

SARAH PUGH, Pres't.
HANNAH L. STICKNEY, Rec. Sec'y.
MARY GREW, Cor. Sec'y.

PHILADELPHIA, Sept. 13th, 1855.

BELOVED FRIEND AND BROTHER: In transmitting to you the accompanying resolutions of the Philadelphia Female Anti-Slavery Society, permit me to say that our words are very inadequate utterances of our sympathy with you, in your struggle against the tyranny of usurped power. Vainly do we strive to express that sympathy in its fullness. You are suffering persecution for the sake of a cause to which our hearts and hands are pledged; you stand before the world, a representative of the great anti-slavery enterprise which is shaking this nation to its centre, and which is to effect the mightiest moral revolution of this age; and how can we but sympathise, intensely, with you, as one standing where any of us may, at any time, be called to stand, bearing the interests of our cause, in the hottest front of our battle.

Thank God! no words of exhortation to courage and fortitude are needed from us to you. The inevitable HOUR, fraught with so momentous consequences to the cause of Freedom, found the MAN equal to its large demands. But it may cheer your spirit to know that, even now, rich harvests are reaped from your sowing; that we, your fellow-labourers, are growing strong by your courage, patient by your endurance, and earnest by your self-sacrifice; and that others, hitherto careless of the slave's wrongs, or inactive for their redress, are now arousing from their indifference, and coming to swell the anti-slavery host.

"Joy to thy spirit, brother!
A thousand hearts are warm,
A thousand kindred bosoms
Are baring to the storm!"

However that storm may increase in its fury, and whenever and wherever its thunderbolts may strike, God grant that we may all be found ready to do or to suffer whatever may fall to

KANSAS MATTERS.

UNDER the Pro-Slavery head, this week, will be found the law enacted by the ruffians calling themselves the Legislature of Kansas, for the purpose of "crushing-out," by terror of the gallows, the spirit of freedom among the inhabitants. That law is not a *lusus naturæ*, but the natural and legitimate offspring of slavery, the institution which controls the Government and the popular Church of this country, and which consecrated heads solemnly assure us is ordained and approved of God! The tree is known by its fruits.

It is the settled purpose of the friends of freedom in Kansas to ignore, not merely this particular law, but the very body that enacted it. The spirit of the people is doubtless expressed by the *Kansas Tribune*, which says:

"Whatever others may do, we take occasion to say now, as we shall until the hand that wields a pen is palsied or our tongue silenced in death, that WE SHALL VIOLATE THAT ODIOUS TWELFTH SECTION [see first page], which was intended for our special punishment, every day and hour of our life, when the remembrance of it or its authors shall be called to mind. We DO and SHALL, 'by speaking' *and* 'by writing, assert' and 'maintain that PERSONS HAVE NOT THE RIGHT TO HOLD SLAVES IN THIS TERRITORY': and we shall continue to 'introduce into this Territory, print, publish, write, circulate, or cause to be introduced into this Territory, written, printed, published or circulated in this Territory, any book, paper, magazine, pamphlet or circular,' which we may see proper, 'containing DENIALS OF THE RIGHT OF PERSONS TO HOLD SLAVES IN THIS TERRITORY,' despite of all the threats of this mock Legislature to incarcerate us in prison for TWO YEARS, for uttering this immutable truth; and we trust in God, that if ever the minions of this tyranny shall attempt to curtail our rights to freely discuss this great question, we shall be inspired with a physical courage and strength sufficient to resist the enforcement of its provisions. Every freeman in the land must REPUDIATE, TRAMPLE UNDER FOOT, and treat with scorn and contempt this damnable act of the petty tyrants and usurpers who are thus attempting to enslave us."

The fire-eaters will hold their election for the choice of a Delegate to Congress on the first Monday in October. J. W. Whitfield, the present incumbent, is their candidate, and he is pledged to fight the battle openly on the single issue of Slavery or No Slavery in Kansas. Gov. Shannon has fully committed himself to this party and declared his purpose to enforce the laws enacted by the so-called Legislature, the one which we this week publish not excepted. Among the provisions of the election law is the following:

"*And provided further*, That if any person offering to vote shall be challenged and required to take an oath of affirmation to be administered by one of the Judges of the election, that he will sustain the provisions of the above recited acts of Congress [the Fugitive Slave acts of 1793 and 1850], and the act entitled 'An act to organize the Territories of Nebraska and Kansas,' approved May 30, 1854, and shall refuse to take such oath or affirmation, the vote of such person shall be rejected."

"Any voter" being allowed to challenge, the pro-slavery party may by this means exclude from the ballot-box every man who will not swear to obey the Fugitive Slave law!

The Free State party are resolved to take no part in the election provided for by the bogus Legislature, but to hold a separate election, on the second Monday of October, allowing all citizens of the Territory to exercise the right of suffrage. The man chosen as Delegate at this election will go to Washington and claim his seat as the rightful and legitimate representative of the Territory, which will bring the question of the legality of the doings of the fire-eaters directly before the House. The telegraph announces that the Free State party have nominated ex-Governor Reeder as their candidate. His appearance at Washington in the capacity of Delegate would cause a flutter in the Administration camp. We fear, however, that the Free State settlers will fail to carry out their plan in such a manner as to make it clear that their delegate is entitled to a seat.

The Tribune proposes to insert and retain in the Appropriation bill which shall undertake to provide for the support of a Territorial Government in Kansas a clause to this effect: "*Provided*, That no person in said Territory shall be deprived of life, liberty or property except by due process of law; and that any act or portion of an act of any Legislature of said Territory pretending or purporting to establish slavery therein is hereby declared to be void."

It is rumoured that serious differences have sprung up in the Cabinet at Washington on account of Gov. Shannon's open avowal of his intention to go for slavery in Kansas. He was expected, it seems, to affect neutrality while working for slavery in secret. Marcy and Cushing are sorely vexed, it is said, at the position of things, but they are powerless against Jeff. Davis, who, on this subject, is the representative of "the power behind the throne," which will not permit any rebellion on the part of its "white slaves."

RACHELESQUE.

IT is not our custom, as our readers are well aware, to make comments on theatrical performers or other public artists. Having to comment weekly on the great tragedy of the enslavement and debasement of more than three millions of our fellow-countrymen, we have neither time nor inclination to step aside and criticise the mimic miseries of the stage. There are too many "distressed mothers," too many "mourning brides," too many wretched "slaves," appealing daily to our sympathies, too many Rachels mourning for their first-born, for us to waste our time or our sympathies over the fictions of the theatre; but the appearance among us of a woman possessing the transcendent genius and great renown of Mademoiselle Rachel, the great French tragedienne, as she is called, may be regarded as a sufficient apology for a deviation from our accustomed course in her case. Mad'lle Rachel crossed the Atlantic with a greater reputation than any other female who has visited this country, with the single exception of Jenny Lind. But even the Swedish Nightingale came to us, recommended to our kindly feelings as much by her angelic works of charity, as by her genius as a vocalist; but, Rachel is nothing but an actress, and the homage paid to her by the admiring crowds who have waited upon her performances has been given solely to her genius as an impersonator of character, as a purely intellectual creature, and not to the woman, the wife, the mother, the daughter, the angelic distributer of charities, or the fascinator by her wit and beauty. She is simply an actress. Only this and nothing more. But, as an actor there is but little doubt of her superiority to any other performer who has ever trod the stage. She is slight in figure, but tall and graceful, her face is rather thin and pale, her lips small, and her eyes keen and black. Her movements are at once graceful and dignified, and yet as free and unconstrained as the motions of an infant. In all her gestures she is the very poetry of motion; and, in the classical parts which she impersonates she looks like a moving statue, and when she speaks she transports you back to the fabulous ages of Greece and Rome. In such characters as Phedre, Hermione, and Camille, the illusion is wonderful and perfect, you tremble under her fierce glances, and terrific outbursts of passion; love, hatred, revenge, remorse, the grand and simple elements of human passion are perfectly impersonated by her, and you are carried to those early and unsophisticated days when men were swayed by their grand and natural emotions, before the honesty and truthfulness of their natures had been frittered away and belittled by the disguises and refinements of what we call civilization. To those who have the purity of character to enjoy the poetry of Homer and Æschylus, and the Hebrew narratives of the Old Testament the performances of Rachel are a rare treat. They have in them the very soul and spirit of Deborah, and Judith, and Jael, and Sisera. They are grand, solemn, passionate and moving experiences. It is quite impossible, we think, for an educated and sensitive mind to witness the representations by Rachel of her Greek and Roman characters, even those to whom her language is not familiar, without experiencing an elevated and sobering emotion which cannot but be beneficial to the character. What we most need in these days of whirligig affairs, when the mind is so continually distracted by petty concerns and trifling men, is sobering, and an artist who, like Rachel, can aid us in this work, is to be commended. Rachel will not give anybody a taste for ordinary theatrical performers, but, on the contrary, will be likely to create a disgust for them; for, after witnessing her acting, it will not be possible to enjoy that of any other performer.

THE OPINION OF JUDGE KNOX, dissenting from the judgment of his colleagues upon the application of Passmore Williamson for a writ of habeas corpus, will be found on the first page. It is as candid and temperate as the opinion of the other members of the Court was flippant and perverse, while the clearness and force of the arguments by which he sustains his positions must carry conviction to every unprejudiced mind.

NEW WORKS BY DICKENS.—T. B. Peterson, 102 Chestnut street, Philadelphia, has issued, in a cheap form, "Sister Rose," and "The Yellow Mask," two brief Tales, by Charles Dickens; price 12 1-2 cents each. Sold by Bunce and Brother, 134 Nassau street, New York.

Our Philadelphia Correspondence.

PHILADELPHIA, Sept. 17th, 1855.

PASSMORE WILLIAMSON has now been in prison nearly two months; how much longer he will have to remain is as much a matter of conjecture as ever. As the case stands, he is a prisoner for life, and there are some who fear that nothing but death will liberate him. I am not of that number. A way will be opened up by which he can come forth honourably, without a stain upon his reputation, I have no doubt; and that in due time. *He* is willing to bide his time; let his friends be equally patient.

The Supreme Court says, with a taunt, that he can come out whenever he chooses to *make terms with the Court that sent him there.* What they mean by this they don't state. *Their* views of the law forbid the idea of a Court's making "a bargain with any body"; but nevertheless the prisoner can, if he chooses, they say, "make terms" with Judge Kane. What sort of "terms" is he to make? Is he to retract, recant, recede, concede, confess, compound —or what? "Making terms" is a vague phrase, as well as a singular one, for a Court to use which says the law can "make no bargain," and which knows the law punishes any attempt to "compound."

But there is a rumour afloat in the community to-day, and one which I believe is well entitled to credit, that throws some light upon this notice of the Supreme Bench that Mr. Williamson had it in his power to "make terms" with the District Court. It is to the effect that Judge Kane has expressed himself as willing to release Mr. Williamson from imprisonment on condition of the latter making a declaration, in proper form, that he intended no disrespect to the Court; the proper form being 'a petition from Mr. Williamson, disavowing all intentional disrespect, with his appearance before the Court at the same time to answer all such lawful and proper interrogatories as may then and there be put to him. These are the "terms" on which, without doubt, Judge Kane is willing to liberate his prisoner. Ought the latter to comply with these conditions? There are some who say that he ought. One person, a member of the bar, has said that if he does not, he, the member of the bar, shall hereafter have very little sympathy with him. This may be bad for Mr. Williamson; but it will be an evil which I think he will have no difficulty in resigning himself to.

Why should Passmore Williamson come before Judge Kane, by petition or otherwise, with any such declaration? He has never been charged with disrespect. This contempt, as for which he has been sent to prison, was alleged to have consisted in disobedience; in making a return to the writ so "evasive" and "illusory" as to be in fact no return at all, and it is for refusing to make return to the writ, that he stands, as per the record, committed. Why then should he appear, at his own instance, so far as it would appear, before the public, seeking, by a disavowal, to rebut a charge which has never been brought against him? Besides, he has already distinctly disclaimed all disrespect "towards the law or any of its tribunals." This he did when he was put on his *purgation*. Judge Kane impliedly received this declaimer, when he said afterwards, that Mr. Williamson might be governed by motives which would "afford him consolation before an *infinitely* (the italics are my own) higher tribunal." At any rate, he heard the disavowal, and to ask a repetition of it now is altogether supererogatory. There is no motive that can be assigned for Mr. Williamson's complying, except that of affording Judge Kane a pretext for receding from an untenable and uncomfortable position. Such a pretext Mr. W. is not bound to furnish. If Judge Kane wishes to liberate his prisoner, let him do so; public justice requires no pretext for such an exercise of his power. This is a sneaking way to perform an act of duty. It is meaner than that by which the Philippian magistrates sought to escape the responsibility of their conduct in illegally imprisoning Paul and Silas. Paul said: "They have beaten us openly uncondemned, being Romans, and have cast us into prison; and now do they thrust us out privily? Nay, verily; but let *them come themselves and fetch us out.*" And this, in substance, as I understand it, is the reply of Passmore Williamson to these outside, "extra judicial," sneaking suggestions which are sent to him "privily":

'I have been stigmatized by Judge Kane in open Court, and on a false charge, by usurped authority, have been condemned to prison. I stand on my rights as an American citizen. I have violated no law. I have done no wrong, and I am suffering imprisonment unjustly. If Judge Kane is of a different opinion, he is under no obligation to release me; but the contrary. If for any reason, however, he desires to liberate me, let him say so publicly. If he has any communication to make to me, let him make it openly and above board. If he wishes to put any interrogatories to me, let him send for me. I am in his power and am ready to answer any lawful questions he may have to put to me, or to give him any assurances which it may be proper for him to ask or me to offer.'

This, as I understand it, is the position which Passmore Williamson occupies toward the tribunal which has sent him to prison. This outside, extra-judicial, clandestine suggestion which Judge Kane makes, when taken in connection with some of the circumstances under which it is made, the friends of Mr. Williamson regard as an additional act of injustice. Though made privily, the fact that such a suggestion has been offered is bruited about, and is already known to a portion of the community. The effect is, to put Mr. W. in a dilemma. It obliges him either to comply with a requisition, which he cannot do without violating his self-respect and sense of right, or to take a position which some will regard as contumacious. This offer, therefore, which bears the aspect of plausibility if not of fairness, is only an additional act of injustice. Judge Kane has no right to put a prisoner in his power in such a dilemma. It is mean, pusillanimous and Kane-like, and no honourable man would resort to such an artifice.

But I don't think it will be of much avail for its purpose; on the contrary, if I mistake not, it will return to plague its inventors. Truth is beautiful; facts will speak for themselves; and the course of an honest, straightforward, high-minded man like Passmore Williamson will, in the end, be understood and appreciated. He does not act in a spirit of contumacy or vindictiveness. He is not wanting in a proper respect for the law and its tribunals. He is willing to do all that may be his duty as a good citizen. But the obligations of magistrates and citizens, as we understand them, are mutual. He thinks that he has performed the part devolving upon him, but Judge Kane, he avers, has grossly violated the obligations under which he rests. The reparation that is due, is from the faithless and despotic magistrate to the law-abiding and unoffending citizen. Mr. Williamson stands upon his rights and demands what is due to him. If in so doing he should be misunderstood by his friends and fellow-citizens, he will be sorry, but he cannot help it. His object and aim in this matter is, not to please his friends, but to do as near as he can what his conscience and best judgment tells him is right. People may say he is self-immolated if they choose; that he is wilful, that he is, as Judge Black has expressed it, "ambitious of the honours of martyrdom." Let them say all this, and more, if they will. His conscience and his best judgment forbid him to "make terms" in the way indicated, or in any other way, with the Court which has unjustly and by usurped authority imprisoned him. He stands on principle, and demands that the question between him and Judge Kane be settled on its merits. He will even accept the words which Judge Black has used to disparage and misrepresent his position, and ask "a clean victory or a clean defeat." If he is wrong, he says he should be defeated; if right, he is entitled to a "clean victory." This is the ground taken by Mr. Williamson. In this ground he is fully sustained by his father, and by his legal advisers. Who, with a proper sense of personal honour or public justice, would have him take any other ground?

I said something in one of my letters, a few weeks back, about a probable "collision" between the Federal and State Courts. If I had said *collusion*, I should have been nearer the mark. There was much more reason, as the event has proved, to fear the latter than to anticipate the former. This whole affair has been managed by collusion, from beginning to end. It began, as we have reason to know, by a collusion between Judge Kane and his old friend Wheeler, by which a habeas corpus was granted to the latter, with which to bring up Passmore Williamson. By collusion between Judge Kane's Court and Alderman Freeman, the parties under arrest were held to excessive bail. By *collusion* between Judge Kane and some of the Judges on the Supreme Bench, the latter decided that the prisoner had "the keys of his cell in his own pocket, and could come out whenever he chose to make terms with the Court that put him there." And now Judge Kane proposes, by *collusion*, indirectly, with Mr. Williamson, to make an arrangement, the effect of which shall be to give liberty to his prisoner, and at the same time, as he fain would hope, to enable him to escape the proper penalty of his misconduct. But in this hope has deceived him and he will find that he has been reckoning without his host.

Mr. Williamson, senior, the father of the prisoner, has written a communication to the *North American*, which appears in this morning's edition of that paper, and which your readers will find an interesting chapter in the history of this affair. It is eminently characteristic of its author, and altogether a very good production. I cannot forbear quoting a part of his closing paragraph. As a general thing, when a man comes before the public I like him to "sink the shop," but in this case the writer's professional habits (he is a conveyancer) give a vigour and completeness to his rhetoric which adds greatly to its impressiveness:

"I have now no hesitation in saying and averring—as I have repeatedly heretofore said and declared to individuals—*that I fully and heartily approve of every act, matter and thing which, either of my own knowledge, or from information derived from himself or others, I know or believe was by Passmore done and performed, or caused or procured to be done, performed and acted in connection with that case.*"

I have frequently heard allusions made, during these discussions, to Passmore Williamson's interposition, as "ill-timed," but I never, until to-day, understood precisely the force of that expression. Two persons were discussing the subject, and one of them, a merchant in Church Alley, brought the argument to a close by this emphatic declaration: "Williamson ought to be hung. Any man that would be guilty of such conduct as that, *just at the opening of the Fall trade*, deserves no pity."

That, it seems, is what our commercial papers mean by Mr. Williamson's conduct being "ill-timed." M.

From our Boston Correspondent.

NO. CLXXIV.

THE ARGUMENT.—The Correspondent asketh opinions as to Baby Shows —And why—He reposeth himself on the Dual Nature of Editors and confesseth the corn—The two Shows—Successful Phlebotomy —Justice to the Black Babies—Mother Boston—Meditations on the Life of a Centenary—Final Improvement—Dr. Holyoke, the Salem Centenarian — Damage done to Theories — The Correspondent lamenteth the Yankee Uncaricaturableness—Also the spoiling of good meat by bad cookery—He telleth of the Political Baby Show —And vindicateth Mr. Punch—He trieth his hand at the same— Grandmother Garrison and her descendants — Grandmaternal Ovosuction—Paregoric for gubernatorial infants—The real Baby Show at Worcester—Prophetic Prudence—Political Possibilities— A multitude of Candidates—No Bread and Half a Loaf, &c. &c. &c.

BOSTON, Sept. 16, 1855.

WHAT is your opinion of Baby Shows? There have been two here, and public opinion seems to be greatly divided as to the Ethics of the matter. And I rather think there has been quite as much discrepancy between Opinion and Practice as between Opinions. For while everybody, almost, seemed to condemn the whole thing as an impropriety, if not an immorality, as a violation of good taste and good sense, if not of good morals, still almost everybody put their opinion in their pockets, took a quarter of a dollar out and went to see. Notwithstanding, I should like to know what you think of them, before letting out whether I went or not. For no true American ever expresses an opinion, or acknowledges an action, until he has ascertained, if possible, that the person he is in communication with will not think any the worse of him for it. But now I bethink me that whatever your ideas may be as *men*, you can have but one as *editors*—and that is that it is the duty of a good and faithful Correspondent to see and tell of everything going. As the Governor of Tilbury Fort, in the Critic, says in answer to the distracted entreaties of his daughter, the fair Tilburina,

"The *father* softens, but the *governor* is firm!"

so you, in your dual natures as men and as editors (which last oftentimes seem to have but little human about them), may well applaud an action in the one character which you would condemn in the other. I admit, then, that I did go to the Baby Show; yea, to both of them. For I suppose few of your readers are ignorant that when Mr. Barnum proposed to hold his Show of white babies, in the Music Hall, a Mr. Bateman set up an opposition one of coloured babies, in Chapman Hall, not far off. Though there were those who believed Bateman to be only an *alias* of Barnum, and that the Napoleon of Humbug, the great Showman of the Nineteenth Century, was really at the bottom of both.

However this may have been, they were both very successful in their depletory practice on the public purse, and a greater number of quarter-dollars were probably never assembled together before at such short notice. Justice compels me to say that the proportion of fine children among the coloured collection was quite as large as among that of the more popular complexion, and that they seemed to excite quite as much interest in the visitors as their pale-faced rivals. But a main feature of the Bateman Show was a rare specimen of old age, in a venerable coloured woman, commonly known as Mother Boston, who is believed to be not less than a hundred and eight years old. There was some suspicion that there might be a spice of humbug about this feature of the exhibition, and men mindful of Joice Heth were slow to believe that the specimen was really what it was ticketed to be. But I am assured by unquestionable authority that there is no reason for doubting the authenticity of her story. As she has always lived in Boston or its vicinity, the chain of recollection and tradition is unbroken, and the evidence would be sufficient to establish the fact in a Court of Justice, were it important. No one could look at her and doubt that she was astonishingly old. She is extremely bowed by the weight of her years, but her appearance is by no means repulsive; her face not corrugated with wrinkles, as is common in cases of extreme old age, but comparatively plump and smooth, her eyes bright and her hearing perfect. She walks to church every Sunday, and was baptized (surely at the eleventh hour of her day's work) only last year. One could not help thinking how much history was included in her span of life. What strange events have happened, how many famous men who have filled "all mouths with wonder or with praise" have begun and ended their career since she was born! And ended it long ago. Charles James Fox was born two years and Pitt twelve years after her, and both have been dead hard upon fifty years. She was twenty-two when Napoleon and Wellington were born, and has survived the "Conqueror and Captive of the Earth" five-and-thirty years. She was seven and eight years older than Louis XVI. and Marie Antoinette, respectively. Erskine, Eldon, Sheridan, Burns, Scott, Byron, Talleyrand, Cuvier, Lafayette, Chateaubriand, and who not of the European names which seem to us as belonging to a past generation, they have all risen and set since she came into this breathing world. And on this side the Ocean, Fisher Ames, Jay, Hamilton, Samuel Dexter, John Quincy Adams, Andrew Jackson, our whole Pantheon of great men, indeed, excepting the very first promoters of the Revolution, have had the circles of their lives described far within the circumference of hers. There was another comely, well-preserved old lady on exhibition; but as she was only ninety-four, we classed her among the other infants. Both of these additions to the attractions of the Coloured Show were much more agreeable to look upon than the Maine Giantess, who was thrown in for nothing into the other. As to the *morale* of these kind of Exhibitions, I cannot conceive of their being of any use, physiologically or morally—of any advantage to parents or of anything but great injury to children, and I trust they will not grow into an institution. And as to the children themselves, I am sure a finer set of them can be seen, to much better advantage, any fine day, in the Malls around our Common.

The oldest person I ever saw, except Mother Boston, was Dr. Holyoke, of Salem, who was born in 1727, and died in 1829, in his hundred and second year. He preserved his activity and his faculties to the day of his death, actually practising as a consulting physician after he was a century old. And he died of some acute disorder and not of that most chronic one of all, old age. After he was a hundred, I recollect his being in Boston and visiting the Athenæum and going all over the building, up-stairs and down, with the interest and the step of a man in his prime. I well remember him at the Centennial Celebration of the Settlement of Salem, in 1828, when he presided in the Church, Judge Story delivering the Discourse, and afterwards at the Dinner—a man half as old as the town itself. The last time I saw him was at the funeral of a young man, whom his friends have not yet ceased to lament, a model of manly beauty and youthful excellence, who died on his twenty-first birth-day. And the centenarian came to bury the untimely dead—one eighty years his younger and who had yet reached the threshold of manhood. It was a striking scene, and one that is before my eyes as I write. Unfortunately for several favourite theories of longevity, the venerable Doctor's habits had not squared with their requisitions. He had been by no means addicted to the vice of intemperate Early Rising, and he had all his life moistened his clay with very moderate exhibitions of those liquids which the State of Maine put under its ban—but from which it seems likely that the ban will soon be taken off. And I am afraid that he was not proof against the seductions of a pipe of tobacco. But I will not lay this charge to his memory with any assurance. I hope I may misremember his account of himself.

But to return to the Baby Show. This exhibition gave occasion to a new [illegible] Yankee nature for Caricature. Somebody hit on the idea that the Baby Show might be made a vehicle of political satire, and a very good idea it was. But never was the proverb better proved which saith that God sends good meat and the Devil sends cooks. Such a mess as they made of it! All that the inventive genius of the satiric artist could do was to put the heads of Gov. Gardner, Messrs. Wilson, Sumner, Dr. Smith, Mr. Hiss, and half a dozen more of the prominent politicians of the different parties, on children's bodies and stand them on top of a platform and the steps ascending to it! The bodies on which the heads were placed were *in puris naturalibus*, or, saving your presences, stark naked—in which circumstance, I suppose, the humour of the thing must have consisted, such as it was. And the newspapers praised it and pronounced it "*Punchy*"! Punchy, indeed! If Mr. Punch should hear of it, he would set Toby upon them, at the least, if he did not break his cudgel over their thick heads. Why, I could have done better for them myself, had they only applied to me. Let me see. The Free Soil babies should have been under the fostering care of their Grandmother Garrison, to whom they owe their being and early nurture, who should have by her the rod with which she corrects them when they are naughty, and the box of sugar-plums she gives them when they are good. And they, in the fulness of their infantile innocence, should be persistently endeavouring to teach their granny to suck eggs. As to the Gardner baby, it being a cross-grained, fretchy and wayward [illegible] the best thing that could be done with it would be to have old Mother Massachusetts give it its *quietus* out of a couple of phials labelled "Loring's Elixir" and "Veto Carminative"—better far than Daffey or Dalby—at least, they ought to be. Nothing could be done with the Smith baby, that I can think of, except to put it in a corner, with a fool's-cap on for telling stories about the poor dumb fishes of Massachusetts, for not knowing his task and for throwing some make-believe soldiers at a poor black man in the street. I dare say something might be made out of the rest of them, if I could but remember who they were.

The real Political Baby Show comes off next Thursday, at Worcester. I only hope they can be kept from biting and scratching one another. I trust they will remember that

"Their little hands were never made
To tear each other's eyes"!

But hands are often put to uses for which they were not originally designed. It will be odd if the nursery be not in an uproar. It won't be because there are not self-willed and obstinate children all resolved to have their own way. You know that the Free Soilers, Know-Nothings, Know-Somethings and Anti-Slavery Whigs are to meet and agree, if they can, on a Fusion Ticket for State Officers. Now, a certain portion of the Know-Nothings are cordially ready for Union, provided Mr. Gardner be re-nominated. A large number of Free Soilers and Whigs are as resolved that they will go into no Union if he be nominated. So it will be by miracle if the Fusion Applecart be not upset by the horses that are hitched to it running in opposite directions, instead of pulling together. But the result will be known before this letter appears, so I will not risk my reputation as a prophet by any specific predictions which may be contradicted in the same paper that contains them. Only if the Delegate Convention nominate Mr. Gardner, there certainly will be another nomination made. If he be not, then the Know-Nothings who have not gone into the Worcester Crucible may nominate him, or some other pure Know-Nothing. Then the *Straight* Whigs are to have a Convention and a Candidate, if they can find a confessor ambitious of the Crown of Martyrdom. So we shall have at least four candidates in the field, and perhaps five or six. All this, of course, helps the chance of Mr. Beach, the Rumocratic Candidate, as a plurality elects this year, for the first time. He will have all the Liquor Interest and all the Nebrascals, and his chance is very fair, in the confusion, of scrambling into the Governorship. The victory in Maine, such as it is, is a great encouragement to his partisans. It is said, to be sure, that the Boston Liquor-Sellers, the richest and strongest division of that interest, do not wish to have the Liquor Law repealed, because, being executed in the rural districts and yet a dead letter in the City, it gives them the monopoly of the business in New England. I am told that the trade was never so profitable as it is now, and that fresh capital is put into it every day. Still, they must stand by their Order, like Earl Grey, and try to get the victory even if it hurts themselves. The election of Mr. Beach would be a great triumph to the Slaveholders. But not more so than Mr. Gardner's. So, as between the two, I throw up my cap for Beach. No bread is much better than such a very bad half-loaf. D. Y.

THE DUKE OF SUTHERLAND AND HIS TENANTS.

WE copied, two or three weeks ago, in our column of Foreign Miscellany, on the fourth page, a statement made by *The* (London) *Empire* of a recent transaction on the Estate of the Duke of Sutherland. If the incident, as related, really occurred, it will, of course, be made use of by the enemies of the anti-slavery cause to weaken any testimony that may be borne in Great Britain against American Slavery; to which our only reply is that the Abolitionists neither claim nor wish for the sympathy of any oppressor of the poor any where. But if, on the other hand, the story be an exaggeration or an old story revived, its publication in our columns may be a ready road to its correction, or authentic contradiction. We have accordingly received the following note from an esteemed and venerable friend who does not hesitate, from his personal and intimate knowledge of the Duke of Sutherland, to contradict the story in question on his own responsibility. We sincerely hope that the proof which he expects to receive will be forthcoming in due season.

MESSRS. EDITORS: From my *knowledge* of the character and disposition of the Duke and Dutchess of Sutherland, I venture to pronounce the story of the treatment of one of their tenants, copied in your last paper from an English paper, as utterly false, if not so, that it is grossly exaggerated and invented by some political or pro-slavery opponent of the Duke and Dutchess. I *hope* to be able to prove that it is so. I think it is an old story revived. I remember to have seen it, or a similar one, long ago.

C. L.

LITTELL'S LIVING AGE, No. 590, presents the following table of contents, viz.: Marshal St. Arnaud; Jane Eyre, and the Clergy-Daughter's School; Maud, and other Poems; Madame Jumel—Aaron Burr's Wife; Philarete Chasles; Monarchs of The Main; Types and Figures of The Bible; Philo-Russian Americans; Brides for Sale; A Calm in the City; Majesty of the Law; Dreamers; Horace Greeley with Albert Smith; Chinese Socialism; Dash down a Siberian River; A Chapter on Bells; Palmerston as a Missionary. There are beside various short articles and several poems. No. 591 contains an equal variety of matter, embracing a very able article, from the *Westminster*, on the "Foreign Policy of the United States," in which the sympathy of American slaveholders with Russia is pointed out as a significant fact in its relations to the action of the Federal Government. New York: 343 Broadway.

Summary.

ADVANTAGES OF ADULTERATION.—Little girl to big groceryman: "If you please, sir, mother says, will you let her have a quarter of a pound of your best tea, to kill rats with, and an ounce of chocolate as would get rid of the black beetles?"

"Westward, Ho!
Singing our songs of freedom, O."

THE HUTCHINSON FAMILY (Judson John and Asa) left on the 10th, via Saratoga Springs, Utica, Buffalo, Cleveland and Chicago.—*Liberator.*

A PROPER REBUKE.—A Reverend gentleman in New York, a few Sundays since, seeing a poor woman tottering up one of the aisles of his church, waiting in vain for some one of the congregation to offer her a seat, paused in his sermon, descended from the pulpit, showed her into his own pew, and quietly returned to his desk again.

IMPROVEMENT IN PAPER MAKING.—A paper maker in the south of France makes a pulp of five common plants, in certain proportions, with 20 per cent. of rags, and produces a paper not distinguishable from pure linen, and which is of excellent quality, and can be afforded at half-price. It is stated that a large company has been formed at Paris for its manufacture.

ANOTHER FREE STATE.—Before the new Congress has finished its work, we shall have Minnesota asking for admission into the Union. The late census shows that its population almost comes up to the required number, and that this flourishing territory already numbers fifty-five thousand inhabitants. St. Paul, the capital, has over five thousand inhabitants.

FATAL ASCENT OF MOUNT WASHINGTON — *Gorham, N. H.*, Sept. 14.—Mr. Bourne of Kennebunk, Me., accompanied by his wife and daughter, left the Glen House, at Mount Washington, at 3 o'clock yesterday afternoon, to ascend the mountain on foot, without a guide. They lost their way, and remained without shelter all night. All suffered extremely, and the daughter died during the night. Mr. and Mrs. Bourne were discovered this morning, and are now doing well.

A barkeeper in Rutland, Vt., complains that the authorities have put back the temperance cause years by prosecuting him. He says that the people were becoming so well trained, that they took liquors from him which were two-thirds water, and if he had been let alone, he would have got them so that they would have drank clear water within six months.

A MODERN JOAN OF ARC.—The following is copied from the Boston Transcript:

"Miss Anna Dickinson, the young lady who has been lecturing in Connecticut, Rhode Island and Massachusetts, with great success, on the subject of Slavery, is a native of Philadelphia, and is about twenty-two years of age. She is a Quaker, and has been brought up in the strictest sect of that denomination. She is a fine looking girl, with a pleasing address, and a voice of great power and compass. She is a fluent speaker, and her manner is earnest and impressive. She has a divine mission, has just been locked up in the Orleans prison. She asks to be sent to the Crimea, pretending that she could take Sebastopol in a very short time. She speaks on the subject in a very calm and deliberate manner. All she asks for, to accomplish her glorious mission, is an escort of a sergeant, a corporal, and ten men. She is at present committed ingloriously as a vagabond."

A SMALL BEER POLITICIAN.—HON. T. J. D. Fuller, according to the *Bangor Journal*, in his speech at the Democratic Mass Meeting, actually based a great portion of his remarks upon the following affecting personal incident:

"Having need, he said, of a glass of beer, he went across the river from Calais to St. Stephens, on the British side, and purchased a glass of ale, paid his three cents!"

A pretty state of things we have come to, when a member of Congress takes a glass of beer for a text!—*Portland Adv.*

A PROPHETIC SONG.—The following is from a soldier's letter printed by the *Kilmarnock Chronicle:* "The other night I was on the entrenchments, and a good number of us were sitting together amusing ourselves. One was singing a song called 'Mary, weep no more for me,' in which occur these beautiful lines—

Far, far from thee I sleep in death,
So, Mary, weep no more for me,

when a shell came in and burst among us, and killed the man while he was singing the song. I never was so vexed for any one in my life; it opened his skull completely, and no died in an instant."

COMMERCIAL RELATIONS WITH HAYTI.—To such of our citizens as are engaged in commercial operations with Hayti, it may be beneficial to learn that on the 25th of June, 1850, the United States Commercial Agent at Cape Haytien, informed the Department of State, that the Government of Hayti, in consequence of claims made by American merchants residing at Cape Haytien, had ordered the abolition of ten per cent. additional duty previously charged upon American commerce under an early law of the empire which required a surcharge of ten per cent. upon the vessels of all nations that failed to recognise the independence of Hayti.

AN INDIAN REVOLUTION.—The Cayuga Indians, in Western New York, have revolted, deposed their chiefs, and set up new rulers. The revolutionists have issued their manifesto, from which it appears they have been victimised by their chiefs. Imitating their more civilized neighbours, the Cayugan officeholders have kept up a watchful eye upon the spoils, and instead of administering the affairs of the tribe honestly, it is alleged, have availed themselves of their official positions to unscrupulously plunder the people of the annuity received from the State by virtue of certain treaty stipulations.

ALFRED T. WOOD has been tried at Liberia for forgery, for obtaining money by false pretences, and for a "libel on the Republic," and found guilty, and sentenced to five years' imprisonment and $500 fine. This "Rev. A. T. Wood, D.D." as he called himself in England, came from the British Provinces to Boston, flourished largely for two or three weeks, when the coloured people found out his true character, and he ran away to New York, and thence found his way to Liberia. He soon went to England and begged money to erect a house of worship for his church in Monrovia, of which, he told one of his dupes, George Harris and his wife, mentioned in *Uncle Tom's Cabin*, were members. He was finally arrested, tried and found guilty of obtaining money on false pretences in England, since which nothing has been heard from him till now he has turned up in Liberia, where he seems to have met with his deserts.

WAR IN AFRICA.—The British Government has a war in Africa as well as in the Crimea. A Mandingo sold a negro near the mouth of the Gambia. The negro, it was said, was a British subject, and the British authorities undertook to arrest the Mandingo. Two attempts to arrest the man in the village of Sabagee having been repulsed, Gov. O'Connor procured the assistance of 100 French soldiers from Goree, and again marched towards Sabagee, with a force of about 520 men, three field pieces and one 24 pound howitzer. The "rebels" were driven into the town, when the stockade was carried by assault at the point of the bayonet, and "Sabagee no longer exists." Loss to the "allies" 26 killed and 70 wounded. Only one Frenchman fell. Loss to the "rebels" one of their best towns and *fifteen hundred souls.*

The YELLOW FEVER has somewhat abated its ravages at Norfolk and Portsmouth within the last week. The scenes of suffering presented in the progress of the disease have been appalling. A letter from Norfolk, received at Petersburg, gives the following chapter of horrors:

"I saw at the Potter's Field (so great is the difficulty in obtaining grave diggers) a pit about 16 to 20 feet square, in which were buried the bodies of 34 victims, piled one upon another, and covered over with dirt and lime, forming one huge and monstrous mound.

"Many have been interred without boxes or coffins, or anything else, save the blanket upon which they died. Several of our wealthiest citizens have been buried in rough square boxes, and the graves dug by their friends.

"In one instance, I heard of *a father digging the graves of his two only daughters;* and as many as nineteen to twenty bodies have been lying on the ground at the Cemetery, waiting their turn for interment as soon as the holes were dug, for in many instances they were not more than 2½ feet deep.

"Business is entirely suspended, and stores all closed. You cannot obtain a pound of sugar or a piece of soap. The rich as well as the poor are dependent upon the Howard Association, who have established a provision store, and who dispense food and provisions to the needy with a bountiful hand."

COL. KINNEY AND HIS PROJECTS.—We copy from the Mobile *Tribune* the following letter from Col. Kinney to Capt. Maury, his agent in that city:

"SAN JUAN DEL NORTE, Saturday, Aug. 18, 1855.

"MY DEAR MAURY: I have just completed the purchase of thirty millions of acres of the most magnificent country in the world—a country which I venture to predict, will before many months seem with the enterprising and industrious masses of the United States and Europe. Messrs. Shepherd & Haly have disposed of their entire right, title and interest in the celebrated 'Mosquito Grant' to me for $500,000, and I shall proceed at once to invite that emigration which is needed for the development of its unequaled resources. There are three hundred miles of seaboard belonging to it, and further back an elevated table land, healthy in climate and capable of producing every staple of the tropic or temperate zones. Sugar, coffee, tobacco, cochineal, cocoa, are produced in abundance, in addition to the substantial supplies of cotton and grain required by the exigencies of a large population. Much of the land in the interior extends along the banks of the San Juan river—the navigable highway of inter-oceanic commerce, whence produce can be shipped without change of transportation, to any port on the globe.

"I need not say anything of the mining resources. The old Californians, who have lately been up there, say they are the best in the world, and a large accession is looked for from their State. The coal of Boca del Toro, towards the southern boundary, which has been opened of late, is so situated, on account of the deep water, that steamships of the largest class can come alongside and load up without further trouble.

"I hope, therefore, that you and your friends may be early upon the ground, to share the prospective advantages of this vast addition to the field of American enterprise.

"Excuse the haste with which this is written, and believe me truly your friend, H. L. KINNEY."

A MAGNIFICENT STEAMER.—The latest wonder in steamboat architecture—the New World—made its first trip from this City to Albany on Thursday night last. Here is what the *Evening Journal* says of her:

"The New World is the last and highest triumph of steamboat architecture. The long-expected three-decker came to our dock this morning, and is the theme of wonder and admiration to all who have examined her. Her distinguishing peculiarity is a second upper cabin, a third story to the ordinary Hudson river floating hotel; and so well proportioned is it, so light, so artistically related to the vast bulk of the vessel, that there is no effect of top-heaviness produced, and no sense of insecurity or unfitness suggested.

Miscellaneous Department.

MR. WILLIAM CHAMBERS.

Of all our writers who have referred to American slavery, none has employed an influential position to a baser purpose than the elder of the two editors of *Chambers's Edinburg Journal*. A paper from his pen appears in the number of that publication for July 14, 1855, under his favourite caption of "American Jottings," which is devoted to a review of recent works on the United States. He remarks that "they generally coincide in presenting that favourable view of America *on the whole* which appears to be consistent with truth. It is pleasing, indeed, to observe that the age of misrepresentation and vulgar prejudice is past. English travellers through the United States no longer measure every custom and institution by the standard of old country notions."

Amongst the "vulgar prejudices" thus referred to as exploded, are included those against chattel slavery; and Mr. William Chambers rejoices that this institution is one which English travellers no lon er measure by their "old-country notions" He is not the man to differ about trifles with a country so full of all the signs of material prosperity, or to be needlessly precise in noting its peccadilloes. "Prudence," says the *North British Review*, "is Chambers's favourite theme and darling virtue. It is the aim of all his moral instruction. Right feeling, correct ethics, and enlightened self-love are not only the highest principles to which he appeals, but they seem to be so appealed to as to leave us no room for reference to a higher standard." Just so; and to this very deification of prudence and of a most unenlightened self-love we may easily trace the favour with which slavery is viewed by Mr. William Chambers, and the alacrity with which he indirectly yet substantially defends it. Prudence and self-love are the great ostensible supports of slavery. The slaveholder maintains it because he believes it essential to his material prosperity; the northern abettor defends it with a view to his customer, or his son-in-law, or his fellow church-member, or associate in political action, or other southern connection, or because he has a mortgage on southern property, or because he dreads the slaveholders' threats to dissolve the Union if he should fail to assist them in maintaining their favourite institution. Humanity, justice, morality, and vital religious principle are all set aside by the slaveholders and their adherents from considerations of prudence and self-love, and by none more unscrupulously than Mr. William Chambers. He amply justifies the criticism in the *North British Review*, and shows that even a professed moral teacher may be so dazzled by the material prosperity of the United States, that in order to silence the reproaches of the world against their slave system, he will not only expose his own obtuseness to the moral, social and economical evils of which it is the fruitful parent, but will actually labour to confound all moral distinctions in its defence. In the paper already referred to we find the following passage:

"Turning to a work by the Rev. Robert Everest [A Journey through the United States and part of Canada], we find it plainly stated, 'that every new factory built in Lancashire creates a demand for slaves on the banks of the Mississippi.' The crime of slavery, therefore, lies quite as much at the door of the English as of the Americans. England's continued prosperity depends on the cotton manufacture; and this cotton is a product of slavery. How inconsistent, then, for us to reproach the Americans with a system of which we are the direct and principal encouragers! Yet, how has this truth been passed over in the multifarious disquisitions on the horrors of American slavery! A whole nation weeps over the wrongs of 'Uncle Tom,' while it hypocritically buys, and spins, and weaves, and draws a revenue from the very article which Uncle Tom was urged under the lash to produce. Until England ceases to purchase American cotton, we think, in decency, it should refrain from censuring American slavery. 'It makes me shudder,' says Mr. W. E. Baxter, 'to think of the severe toil and heartless oppression which these wretched beings undergo to support a white aristocracy, and supply with the raw material the manufactories of Manchester.' It might be added, that the Northern States of the Union ought to have as little to say against the South on this subject as England. Their cotton manufacture equally rests on compulsory labour; and what is fully more open to rebuke, the North sends representatives to Congress, who take the lead in projects for extending the sphere of slavery. While touching on the moral and social evils which inevitably spring from the institution of slavery, Mr. Baxter does not shrink from adding, 'that the course pursued by the party technically styled Abolitionists, has been most intemperate and unwise; that a great deal of violence as displayed on this question at the South, is owing to the fanatical doings at the North; and that dictation, menace, and abuse only delay the day of freedom for the suffering African.' I did not meet above a dozen or twenty persons in America who entertained a different opinion from that now expressed to me when journeying through the States."

Now, if the lesson here inculcated be a sound one, we are forbidden to protest against any evils connected with the production of the articles we consume, since the guilt of the producer and that of the consumer are identical. If we use Russian flax or hemp, corn or tallow, we are as guilty as the noble who owns the serf that grew them, and become partners in the tyranny which revels in splendour on his unrewarded toil. The lace-maker who sits singing by her cottage-door in Nottinghamshire is no less criminal than Simon Legree on his plantation. The clerk who eats his modicum of potatoes in the nearest London chop-house becomes the unconscious inflictor of the wretchedness, poverty, and crime arising from the oppression of some Irish rackrenter. The ships that carry on our commerce between the ends of the earth are often floating hells, in which the poor sailor suffers every extremity of outrage and hardship from the tyranny of captains and the avarice of shipowners; therefore we who consume the products they bring to our shores are partakers of the guilt. Will this logic stand good? If chattel slavery were not so important an element in the material prosperity of the slave States; if slaveholders were not so well-dressed, so wealthy, and so hospitable; if the number of apologists for slavery amongst the prudent, prosperous, and intelligent in the free States were not so great; Mr. Chambers would not attempt to silence all remonstrance against slavery by an argument so untenable.

That "the North sends representatives to Congress, who take the lead in projects for extending the sphere of slavery" is a disgraceful fact, but it is one which should force upon Mr. Chambers some sense of the stupendous evil of slavery, instead of furnishing him with a plea against its opponents. The seeming anomaly may be easily explained. The slave system embodies by far the most potent "interest" in the United States. It represents the greatest amount of property. It is the most compact, the most active and watchful, the most ambitious, domineering and unscrupulous of them all. The slaveholders rule the Cabinet of Washington. A great majority of the Presidents have been slaveholders; and since the system attained its present gigantic and portentous dimensions, not only has no known opponent of slavery filled the presidental chair, but no such man has been appointed to any office in the gift of the Federal Government. With the exception of John Quincy Adams, all the great American statesmen of later years have been noted for their adhesion to the slave system. Calhoun, of South Carolina, a slaveholder, was its thoroughgoing defender and apologist. Henry Clay was a slaveholder. Daniel Webster, the most renowned American orator, forensic and parliamentary, prostituted his great talents to the maintenance of the system. He looked for the Presidency of the United States as his reward, and died broken hearted because the South refused even to nominate him as a candidate. The Florida war was waged for many years against the poor Indians of that country, at a vast expense of blood and treasure, for the sake of the slaveholders. Texas was annexed to the United States to provide slaveholding territory for the South. The Mexican war was commenced and carried on for a similar object. Thus the slaveholders are politically omnipotent; they dictate to the general government; they are the distributors of office in the civil, military, and diplomatic services; they are the representatives of three hundred millions sterling worth of flesh and blood. No wonder that they possess enormous influence in the free as well as the slave States; that they control the election of members of Congress; seduce the churches by the phantom of ecclesiastical unity; terrify the politicians and wealthy conservatives by threats of dissolving the Union; allure the mercantile classes by the bribe of Southern custom, and silence the literary and professional men by the hope of Southern favour, and the dread of Southern displeasure. While so many material advantages are connected with the good will of this vast "interest," is it surprising that a formal professor like Mr. Baxter, or a cold-hearted worshipper of material prosperity like Mr. William Chambers, should have met such general acquiescence in the slave system, and such readiness to condemn "the intemperate and unwise doings of the northern Abolitionists?"

That a system so tremendously wicked as slavery—so ruinous in its anti-moral, anti-social, and anti-religious influences—should be denounced by those who are alive to its evils, in the unimpassioned style of Mr. Chambers, is not to be expected. But making reasonable allowance for the individual temperaments, habits, and education of a party made up from various classes of the community, we deny that the proceedings of the ultra-Abolitionists (as the American Anti-Slavery Society is sometimes called) have been either intemperate or unwise. Those who justly estimate the nature and extent of their enterprise, and the difficulties they have had to encounter, will we believe admit that no other body of reformers has ever persevered so long in the pursuit of a great and unselfish object with such unswerving adherence to principle, such complete abstinence from physical violence, and so much fortitude, self-denial, and moral heroism. We do not find that any one of those British travellers who repeat the cuckoo cry against the Abolitionists, has ever taken the trouble to seek them out, and to learn *from themselves* their objects, principles, and modes of action. Their conduct has been more like that of an American traveller who should portray the dissenting ministers of England from information communicated by the Bishop of Exeter, or describe the Established Church in Ireland by the aid of one of the professors of Maynooth College.

In the same article we have already quoted, we find Mr. William Chambers rejoicing over the educational system of the United States, with its inculcation of "sound religious views." He quotes the remarks of that "young and promising legislator," Mr. Baxter, as "the results of his inquiries amongst all the leading evangelical churches." He tells us from himself, that "Subbath Schools are usually the means of affording special doctrinal instruction." Now, we have been lately reading a book called "*Infidelity; its Aspects, Causes and Agencies*," by the Rev. Thomas Pearson, of which the forty-ninth thousand has just been published by the Religious Tract Society. While reviewing the influence of the press, the author complains that in Chambers's publications "we miss the evangelical element—that decidedly Christian tone;" and we suspect that Mr. W. Chambers has felt the influence of this "beneficent whip," and that he evinces it by his unwonted readiness to patronize "sound religious views" in this paper in which he stigmatizes the British hatred to chattel slavery as a "vulgar prejudice," and a silly tendency "to measure every American custom and institution [slavery inclusive] by old-country notions."

Perhaps no class of writers exhibits more mischievous ignorance than the tourists who run over to the United States, and, after a brief and hurried scamper through that vast country, return to tell us that all the lessons of morality we have ever learned and all our ideas of right and wrong are mistakes—that chattel-slavery is not such a very bad thing after all—that the United States are prospering with it—and that the most rash, foolish, and fanatical portion of the American people is that handful of men and women who are labouring to overthrow that "sum of all villanies."

From the manner in which Mr. Chambers speaks of the Abolitionists, one might infer that their course had been marked by personal violence, by mobs, outrage, and lynch-law—while the very reverse is the fact. Their weapons are all peaceful. Newspapers, public-meetings, lectures, tracts, the force of argument, the power of truth—these are their means and instrumentalities. They hold up to view the rapacity and injustice of the slaveholder, the sinful acquiescence of the merchant and manufacturer, and the base subserviency of the church both North and South. With such unpopular work as this upon their hands, and the most degraded and downtrodden of human beings for their clients, it is no wonder that their task is thankless and ungracious; no wonder that they are denounced by the politicians as traitors, by the church as infidels, by the cowardly and selfish respectables as reckless disorganizers. A truly philosophic observer in the United States would soon see where the merits of the case lay, and would know how to decide between the Abolitionists and their defamers. He would not need the bloody cruelties and the barbarous statutes of the South to convince him that slaveholding must be suicidal policy for a free country; that republican institutions, freedom of the press, and pure Christianity cannot coexist with chattel-slavery; and that the best friends of the United States are those who urge the immediate abolition of a system so barbarous and inconsistent.

It is one honourable peculiarity of the Abolitionists, and one of which their pioneer, Mr. Garrison, was the first to set the example, that in their newspapers devoted to the cause of human freedom we find the strongest arguments of their opponents, the grossest caricatures and libels of themselves and their efforts. So copious are the extracts given from Southern newspapers, and from the pro-slavery portion of the Northern Press (professing and profane) that a diligent study of these articles, and of the arguments, speeches and correspondence of the Abolitionists themselves, supplies a much more impartial and complete fund of information to the honest inquirer than he could possibly obtain by casual conversation with pro-slavery Americans in England, or by a few weeks' trip in the United States without previous acquaintance with the prejudices of those he was likely to meet. We think it probable that Mr. William Chambers has never conversed with an American Abolitionist nor looked into an anti-slavery newspaper.

It does not increase our respect for English literateurs or English travellers, to mark how readily they are hoodwinked by pro-slavery mis-statements and arguments, how easily they adopt the opinion that the best way to put down slavery is to let it alone, and that the abolitionists are its chief instigators and supporters. Slavery narrows in their minds to a question of bread and butter; and provided the slave be fat and sleek, they see not the stupendous gulf that lies between his condition and that of the British peasant. How complacently they propose plans for gradual emancipation, how resspectfully they present them for the consideration of the slaveholder—ignorant that the haughty Southerners curse their insolent interference, and despise them more heartily than if they were uncompromising Northern Abolitionists.

We wish Mr. William Chambers would read the present number of this paper, and then explain how any amount of apparent material prosperity can, in his opinion, compensate for the corrupt state of American sentiment resulting from slavery. It is true he calls slavery a "crime"; it is also true that among the Popular Tracts published by his house is one in which the system is described in its native colours; but we cannot call to mind an expression in *Chambers' Journal* or in any of their publications in which sympathy is evinced towards those who have devoted their time and talents to the anti-slavery cause. The truth is, that those who worship prudence above all virtues, and whose chief ambition is to attain that position which great material prosperity confers, cannot apprehend the grandeur of the anti-slavery cause or the comprehensive nature of its mission. They cannot perceive that the existence of slavery in a free country is fatal to literature, liberty, morals, religion, social happiness, and even to a well grounded material prosperity. They cannot appreciate the high-souled integrity, the adhesion to principle, the large-hearted humanity which the anti-slavery cause has called forth. They willingly listen to calumnies against a virtue which condemns their own short-comings, and do not wish to cultivate acquaintance with the labourers in a cause so stern in its demands on the consistency and self-denial of its advocates.

As far as British sympathy is an important anti-slavery adjunct in the United States (and we have the repeated assurances of eminent Abolitionists that it is so), it will be found that the accounts published by most English travellers have rather tended to repress than to excite it. Mr. Baxter names several of these with approbation, so that we naturally assume them to be superficial observers, credulous, indifferent to principle, and prone to erroneous conclusions on this great question. We therefore intend to refer to these travellers, Sir Charles Lyell, Lady Emmeline S. Wortley and others, in succession; and if we find them endeavouring to palliate or apologize for slavery, or to depreciate the slaves' advocates, we shall do our best to refute their fallacies and expose their mis statements in future numbers of the *Anti-Slavery Advocate*.
—*(London) Anti-Slavery Advocate.*

ELIOT'S INDIAN BIBLE.

A COPY of this literary curiosity lies before me. It is in quarto form, rough and rusty with old age, and hallowed by old associations. The language in which it is written is dead, entirely dead; no man living can either read it or speak it.

This Bible was printed in 1635. The quality of the paper is poor enough, and the type is uneven and unsightly; that of the title-page seems, in part, to have been cut with a penknife for the occasion. It is bound in sheep, with heavy "ribs" upon the back. The "illuminations" at the beginning are extremely rude, and the "lines" are bent and broken. The difference between this Bible and the fine edition last issued by the American Bible Society, in a typographical point of view, appears almost as great as that between the rude "wigwams" which its readers inhabited, and those elegant and commodious dwellings which now occupy the site of them.

This copy before me contains the Old and New Testaments, with the Psalms of David rendered into *Indian verse*.

The title at the beginning of the Bible is—

"Mamusse wunneetu panatamwe
Up Biblum God.

Naneeswe Nukkone Testament kah wonk wuskee Testament. Ne quoshkinnumuk nashpe Wuttinneaumoh Christ noh asoowesit, John Eliot. Nahobtoen ontchetoe Printenoomuk. Cambridge. Printenoop nashpe, Samuel Green. 1685."

The Old Testament contains 680 pages, and is said to have been all written with a single pen! It has a very few marginal references, and the titles of the chapters are given in English.

The language, which is the Nipmuck, seems to abound in long, harsh and guttural words; m and n occur as frequently as in the Latin.

The longest word which I can find in this Bible is in Mark i, 40, "Wutteppesittukqussunnnoowehtunkquoh," and signifies "Kneeling down to him."

Whenever the object whose name was to be translated was unknown to the Indians, Eliot used the English word either alone, or with the Indian case or tense endings appended, so that such words as the following are constantly occurring:—Chariotash—cherubimloh—apostlesog—silver—gold—temple—wine—carpentersoh—masonsoh, and the like.

In translating Judges v, 28, "The mother of Sisera looked out at a window and *cried through the lattice*," he asked the Indians for the word "lattice," and found, when his translation was completed, that he had written, and "*cried through the eel-pot*," that being the only object which the natives knew as corresponding with the object Mr. Eliot described to them.

The Psalms are translated into that form of verse which is termed in our hymn-books "common metre;" and nothing can be more clumsy and uncouth than the structure of the rhymes. Sternhold and Hopkins even may be read with exquisite pleasure after perusing a few stanzas like the following, which are from the 19th Psalm: "The heavens declare the glory of God," &c.:

1. "Kesuk kukootomuhteaumoo
God wussohsumoonk
Mamahchekesuk wonnahtukikon
Wutanakausoonk.

2. "Hohsekoen kesukodtash
Kuttoo waantamonk
Kah hohsekoe nukonash
Kehetookoon wahteaunonk!"

The first edition of this Bible was published in 1663. The type was set by an Indian, and it was three years in going through the press. It is the first edition of the Bible ever published in America. It contains nearly all that is left of the literature of the aboriginees of Massachusetts; and although the end and aim of the great and good translator in achieving his herculean task has not been attained, the work will ever be held sacred, as being the pioneer, as it were, of God's sacred volume in America; as being almost the only abiding record of a people of whose ample stock but one solitary living representative now remains; and of whom it will soon, in Logan's words, be said: "There runs not a drop of my [their] blood in the veins of any living creature."—*Boston Traveller.*

CHESTER WALLS (ENGLAND).

BY ELIZABETH GERTRUDE BARBER.

I stand on Chester's ancient wall,
Coeval with the Roman's prime,
And hear in dreamy numbers fall,
As through the "corridors of Time,"
Rome's peans proud, and Saxon's rhyme.

The golden Future charms no more,
The Present, hushed to silence, lies,
When tracing these mute relics o'er,
The walls upreared beneath these skies,
And dark with seventeen centuries.

I hear the clashing armour ring,
As when upon this battle ground,
Came Ethelfield, the Saxon king,
And called his fair-haired legions round,
And these mute walls with victory crowned.

I see the Briton's sore defeat,
Beneath these ancient walls again,
And hear the sound of parting feet,
As when, across this ancient plain,
Proud Mercia's Duke drove back the Dane.

Again, I see the stormy time,
Of Norman conquest, and the hour
That smiled on Hugh D'Avranche's prime,
Anon, on Edward's pride and power,
And forfeit of Lewellyn's dower.

And gazing from the Phœnix Tower,
Like Charles the King, on Rowton Heath,
I see the issues of the hour
But darken to defeat and death,
These self-same ancient walls beneath:

Through all the stormy years of siege,
The feuds of King and Parliament,
When half the land disowned its liege,
And stormy wars the nation rent,
And serf and lord in battle blent.

The wars are o'er, the storms are past,
Right bravely have ye stood them all,
And summer's heat and winter's blast
Still lightly round your towns shall fall:
Bear bravely up, old Chester wall.

Come thou, oh friend of mine, and stand
Upon these walls and gaze with me,
O'er all this broad and shining land,
And 'neath the clear and silvery Dee,
Wind, wandering wayward, to the sea.

And mark the stormy shore of Wales,
Slope to the sea foam, far away,
Land of cold skies, and ocean gales,
And nearer, towers and turrets gray
Are crowned by sunset's golden ray.

Spread far and wide the plains of green,
These dark and mossy-grown walls below,
And never lay a fairer scene,
In summer sunset's golden glow,
Than this, where Dee's sweet waters flow.

Oh, friend! the world perchance will bring
New scenes of joy, enchanting all;
But none around our souls will cling,
As these wild memories that fall
O'er those who stand on Chester wall.
—*Journal of Commerce.*

THOUGHTS FROM MY GARDEN SEAT.

MORNING-GLORIES!—one, two, three, four, five varieties! pale blue, white pink, dark purple, glowing crimson, and white flecked with blue and crimson—airy as the clouds, with a living transparent brightness in their cups, as if they were woven of light and air. Other flowers have their days, some their weeks, of gradual development—of mature fullness, of slow decay: the morning-glory is new every morning. It has only a few fresh hours, and then closes forever, and instead of a half-withered, slowly-decaying flower, lo! to-morrow, we have all new ones, sprung as by one magic touch from the womb of night. Ages ago, the Hebrew poet said of the fairest and only One, the source and essence of all beauty, His mercies are *new* every morning.

These morning-glories in their unvalued commonness, and yet their strange ethereal beauty, are a living emblem of that daily love which God shows us, daily, when we wake from the seeming death of sleep to a new lease of life, a new present of all its adornments and comforts.

Our garden is a perfect jungle of Petunias. That flower, so encouraging to the souls of immature gardeners—so hopeful, so hardy, so full of vanity, so persistent in bloom that no exuberance can possibly exhaust it. We have taken from the ground a petunia that has been flaunting its blossoms all summer, cut it down for our winter window garden, and seen it bloom then with new vigour all winter, and when spring came go back into the ground and flower on all summer, without one pause suggestive of weariness. Ah! how few among our living friends are there that correspond to petunias. Now and then one we have seen whose exuberant youthfulness, whose joyous hopefulness no blossoming could exhaust—people, as was said of one, who every day came down to breakfast as if some sudden good fortune had befallen them—but in our work-a-day world these are few. For such a character is required, first, an unperverted, well-trained physical system, where every natural law has been sacredly regarded, and second, a soul balanced and attuned to a divine cheerfulness springing from faith in God and love to man—and how rarely are these two found together! Many of our friends have fine souls—how few are whole and sound in soul and body—yet the finest, best attempered soul in the world acts but crazily through an imperfect and wrecked body! One might as well expect to hear Mozart's melodies come out uninjured through a cracked flute. Too many of us, morally and physically, are half hot-house plants. With exact care and disposition, and with exactly well adapted situation, culture, exposure, rain and sunshine, we get blossoms; but otherwise we are dry sticks enough. We have no virtues that can take care of themselves and bloom in spite of circumstances.

Verbenas also, are an encouraging growth, requiring only sunshine enough for untiring bloom. People with shaded borders should eschew them, for they will not blossom without a plenary fullness of sunlight. Too much sun and heat, they scarce can have, and they lift their heads to it with an exultant glow; they are like rich, poetic, artistic natures, which revel in congenial warmth and culture, but become wilted, bloomless, and stinted, in cold, shaded, ungenial situations. Many persons can no more be judged of in such situations, than can the verbenas which some of our neighbours are fond of planting in shady borders under the drip of overarching trees. "I see no beauty about the thing," they say; "it's a miserable, yellow, lank-growing vine—without form or comeliness." Yet, friend, give it sunshine, and you will see what it can do. Some of the most gorgeous and splendid natures may have all their lives in this world passed for miserable failure—simply because the sunshine of congeniality and opportunity never awakened what was in them to bloom; and there may in the future life be glorious blossoms on plants which seemed poor and stunted here.

But, oh! these weeds! what, only a week since garden beds and alleys were faithfully cleaned, and now behold!

Yet one word about these weeds. A friend said to us the other day, Does it not seem a piece of impertinence to seize on a piece of ground and vehemently uproot and destroy everything that nature inclines to place there, and insist on the growth of something which apparently she cares very little about? Who does not see that migionette, lark-spurs, and cypress vines, are not nature's pets—she expresses herself with a far more hearty energy in burdock, pigweed, and smartweed? These are her thrifty children; our so-called flowers are her step-sons, penuriously and grudgingly brought up. What makes one thing a weed, and another a flower? We have seen growing in trodden paths by the sand and dust of the wayside, weeds fairer than some green-house nurslings. The weed of one country is the cherished exotic of another. Our mullein flourishes in English gardens, under the cognomen of the American velvet plant, and the wild heath of her moors is our green-house nursling.

We have thought sometimes that flowers, could they speak, would complain of this capricious standard of valuation. But the same thing runs through the living world. There is *one* Mrs. A. who is broad and fat, a coarse talker, a loud laugher, a heavy feeder, and there is *another* Mrs. A. who is just the same—but the world calls one of them a flower, and the other a weed. One is the rich Mrs. A., and the other is the poor Mrs. A., and that makes all the difference. One is designated as a *en bon point*—the other as broad and fat. One is insufferably vulgar—the other is "so peculiar and original"; in short, one is the garden plant, and the other the roadside weed.

We confess to certain remorseful yearnings in favour of weeds, when we observe the persistent assiduity with which nature endeavours to give them a foothold in the world. How is a believer in universal toleration and freedom of development to reconcile it to his conscience to give pigweed and pusley no chance? Pigweed has his æsthetic merits; his leaf is elegant, in good soil he becometh soon a shapely shrub. Whoso will examine the pink leaves of a very young pigweed through a microscope, will find them frosted with a glittering incrustation, of the most brilliant beauty. A few sparkles of dew lying cradled in these pink leaves, have often stayed our hand in full process of weeding and raised the query why should this be only a weed? About smartweed, now, the question is easier answered. He has no graces, no fine points—his leaves of a dingy hue, with dull spots—his flower of a dirty pink, his odour coarse and rank—all declare him to be a weed by nature as well as position.

One of our own ideas of a garden is a certain wild *abandon* or freedom of growth similar to what one sees in woods and hedges. Trim gardens, where every plant is propped and tied, and divided with exactest care, have their own beauty, but there is (so at least we hope) beauty also in dense masses of flowers which grow, and twine, and mingle together as if nature had planted them. Perforce, such has been the shape of our own gardening affairs; our beds are so full that the ground is scarcely to be seen; flowers lean over each other—vines intertwine, they mat, and run, and blossom in each other's embrace, as if they grew in a meadow. Here and there, a hardy weed, if he have any prepossessing points, is allowed a niche, unless some amateur young gardener, zealous for etiquette, pulls him up in our absence. Humming birds and sparrows come and go among our flowers, and every day as we explore the jungle we find some new development.

This humming-bird! child of air and light, winged jewel! ethereal vision! what shall we say of him? Suppose some good clucking hen as she scratches in the garden, should deliver to her chicks an opinion of him.

Standing on one leg, with her eye cocked upward, she watches his gyrations, as he dips first at the coral tubes of the honeysuckle, and then dances through beds of petunias and verbenas. "See! my children," she says, "what absurd, irrational conduct. Did you ever see *me* do so? What if I should go flying about pecking honeysuckle blossoms? Don't tell me that a bird can live on such fare as that. Don't it take corn-meal, potatoes and worms, to keep us alive, and can a living be got by figuring round among roses and jessamines? What utter neglect of all solid tastes and pursuits! If I had the bringing up of that creature, she should learn to scratch and eat corn-meal as a rational bird should! Don't tell me about her fine colours! all trumpery! and graceful motions! pah! what are they good for—do they dig a single worm, or hatch a single chicken?"

Many of the judgments which human beings pass on each other are about as sensible as this.—*H. B. Stowe, in the Independent.*

LITTLETON AND ITS POET.

LITTLETON is a small place, but a thriving one. It presents the rare spectacle, at the present time, of a New England village almost entirely devoted to agriculture. Its farms evince the care and skill of the owners, showing them to be practical farmers as well as men awake to all real improvements in agriculture. From its principal eminence, "Oak Hill," some of the finest inland views in New England may be had.

But Littleton has a poet—one who is almost unknown to fame. His name has never been trumpeted through Reviews, or heralded by publishers to the tune of hundreds and thousands of copies of his work sold in "less than no time," for he has sung of the quiet village life around him, his muse finding plenty of employment at home. He resides in a modest little cottage surrounded by flowers in abundance, and the fruits of the earth which his skill as a gardener has produced. The walls of his simple dwelling are hung around with pictures and engravings, many of them the gifts of friends. These he takes down for the inspection of his visitors, pointing out their merits with the air of a connoiseur in art-matters. A poem of his, entitled, "How I do love the Spring!" is framed and hung among his collection of pictures. He has lately published a little book, a collection of "futile pieces" designed as "Comfort to Mourners." Wherever it becomes known it can hardly fail to have an extensive sale. It is original in the highest degree. We do not feel competent to notice the little work as it deserves, but wish to give our readers some idea of its style. The greater portion of the book is devoted to obituary notices of friends deceased in the neighbourhood. His own father died in 1830, "aged 71 years, nearly." Of him he says with remarkable brevity:

"And God Almighty took my father hence,
A man of no good health, but common sense."

The following is addressed to his mother:

"Mother Elizabeth, where sleepest thou?
Sleepest? Oh, I mistake; thou'rt well awake,
Rousen from thy dream, what glories teem
Before thy beautiful vision now!"

There is also a poem entitled "Becoming a communicant of Rev. John Todd's church, at the same time that Miss Amelia Fitch was a candidate;" a "tragedy" on the subject of a friend's being "Called to fill an office in Washington;" a May-piece, with this allusion to our first parents:

"We are they whose mother trod
Eden's garden built by God,
When she and father trained its groves."

A few deeply studied lines on a young lady from Groton, who "is now a teacher of a high school of females, numbering fourteen, daughters of gentlemen in Virginia; three hundred dollars per annum, passage free;" a single verse on a young lady recently deceased, commencing:

"Her frolicksome tramp;"

volumes might be written on what our author puts into these two short lines:

"In brother-house the arrangement is reversed,
Two are now living and eight children hearsed."

The poet was honoured by a visit, in 1851, from "Gov. Boutwell and suite." In return, he honoured the Governor with a poem on the occasion, of which this is the last verse:

"Distinguished with honours through life,
May Massachusetts' Governor be,
His children, their aunt, with his wife,
A Paradise celestial then see,
His Aid in remembrance be had,
His whole family drink of life's stream;
The Smiths with wedding garments be clad,
All Groton—our Groton—is our theme."

There are some remarkable lines on the death by drowning in Bristol harbour of four young ladies, the Misses Reed and the Misses Potter. The boat was

"Freighted with fathers, a lad, and two more,
Each a beautious unfortunate maid,
'Twas struck by a flaw unknown hereabouts,
Dipped, filled and sank with half of its crew.
'For God's sake come up girls!' their father shouts;
This the motionless children could not do.
The man roared again and plunged for the four,
Who were sitting upright so confined
By the quantity of goods had in store:
No help could they have of any kind."

The mothers of the "girls" had the "ill-starred privilege" of seeing the boat go down, and upon this sad occurrence we have these concluding lines:

"What accomplishments, gaiety, sound health;
What delicacy, excellent beauty,
Moral worth, what heiresses of fortune
Then drank thy waters, Bristol harbour!
How are the mighty fallen! our harps unstrung!
Our pleasures turned to gall. What, what is man!
Desolate is the mansion of the fair!"

Copies of this "Comfort to Mourners" can probably be obtained by enclosing a dime to Charles Washington White, Littleton, Mass.—*Worcester Palladium.*

WENDELL PHILLIPS AT DARTMOUTH.

THE tribute bestowed upon Mr. PHILLIPS in the following letter is well merited, but its appearance in the *New Orleans Bulletin* (though from a New York correspondent of that paper) is a little remarkable:

"NEW YORK, August 10, 1855.

"Among the most distinguished of the anti-slavery agitators of the North is Wendell Phillips, of Boston. He has rare acquirements, and abilities really brilliant. As an orator, he stands first in New England. He has the highest excellence of a public debator—that of sincere, earnest conviction of the truth of his opinions, however erroneous in fact. His manner, sometimes forcible and fervid, goes never beyond or above his matter. His style is clear, equal, elegant and eminently scholar-like. Except an occasional smack of New England, his pronunciation is as pure as his enunciation is distinct. His gestures are as graceful as the motion of branches, swayed by a summer wind. He has a fine, fair face, and a form well shaped. His stature is tall enough for grace, and the proportions of his figure harmonize.

"Recently, on the occasion of 'commencement' at the Dartmouth College, in Hanover, New Hampshire, I had the pleasure to listen to the chaste yet glowing oratory of Mr. Phillips for a very brief hour. He spoke without notes—not even so much as a scrap of paper in his hand—yet he was evidently prepared on all points. He neither hesitated nor corrected himself but once or twice during the whole speech. He spoke with a flowing tongue from an overflowing mind. So natural were his utterances, that they seemed to express thought conceived at the moment, though it was impossible that so finished an address should have been the result of aught but close and careful reflection. But, thoroughly prepared as he was, he had the skill, by allusions to the instantaneous, to give to all he said an air of *extemporaneous* production. Thus, by a very handsome compliment to the poet of the day (Mr. Park Benjamin), by whom he was preceded, he contrived to take up that department of his subject, which had also formed the subject of his poem, namely, True Independence. He was equally happy in other points, showing adept management.

"His general theme was 'The Duty of Thoughtful Men in a Republic,' and he addressed himself immediately to the youth, composing the Literary Societies of the College, by whom Mr. Benjamin and himself had been invited. I shall not attempt to give an account of the oration. There ought to have been reporters present from all the first journals; and it is surprising that the *Tribune* which is in general rife with just admiration for Mr. Phillips, has not had at least a synopsis of a performance so effective, so beautiful, and so eloquently illustrative of the peculiar views which that paper always advocates. I will venture to assert from what I have seen reported and heard from the best judges, that there has been no oratorical effort at any one of the numerous College Commencements, which have just been held in various parts of the country, at all comparable with that of Mr. Phillips, at Dartmouth. Though I differed from his views often, and thought them occasionally illogical, and even somewhat absurd, I could not help admiring the fervour and sincerity with which they were enunciated, as well as the dexterous grace of their utterance. Neither could I deny my admiration to the self-dependent spirit, with which he stood up with a modest, yet resolved front before a vast audience, composed of many, whose settled convictions were the very opposite of his own. He denounced the servility of the press before many of its most distinguished members. He threw invectives thick as hail on the weakness of the Church, though surrounded by divines of all Protestant denominations. True, some of the eminent political brethren were present—such as Salmon P. Chase, of Ohio, a graduate of the College; but to them he condescended no reference even; but stood up and kept up with Western pluck, exclusively 'on his own hook.'"

Gleanings from Foreign Publications.

The late M. Salomon Rothschild, of Paris, has left a fortune of £2,500,000 sterling, which will be divided between his two nephews.

——TIMOTHY.—There are several species, two of the cats-tail grass. One only is very common, but that one is to be found in every meadow. It is the common cats-tail or Timothy grass (*Phleum pratense*). This latter name it received from Timothy Hanson, who introduced it from New York and Carolina, about the year 1780.—*The Green Fields and their Grasses.*

——AUTHORIZED VERSION OF THE BIBLE.—Mr. James Heywood has placed a notice on the order book of the House of Commons for an early day next session for an "Address to Her Majesty, praying that Her Majesty will be graciously pleased to appoint a commission to inquire into the state of the authorized version of the Bible, and to prepare a plan for the further revision of that translation."

——WALKING ON RED-HOT IRON PLATES.—Professor Pepper recently delivered a lecture in the Polytechnic Institute, London, before a large audience of mechanics, in which he remarked that the setting of the Thames on fire was no longer a joke but a reality. By dashing a small bottle of sulphuric ether with particles of metal potassium into a flat cistern, a bright flame was produced, which illuminated the whole place. He then laid down four plates of red hot iron on four bricks, and one of his attendants walked over barefooted, without any injury. By wetting his fingers in ammonia the Professor dipped them into a crucible of melted lead, and let the metal run off in the shape of bullets into a shallow cistern of water.

—— Mr. W. S. Landor sends the following to the *Examiner*:

"Under the lindens lately sat
A couple, and no more, in chat;
I wondered what they could be at
Under the lindens.

I saw four eyes and four lips meet,
I heard the words, 'How sweet! how sweet!'
Had then the Fairies given a treat
Under the lindens?

I pondered long and could not tell
What dainty pleased them both so well;
Bees! bees! it was your hydromel
Under the lindens."

——Since the war with Russia a new kind of fowl has been introduced into England from the Black Sea, and is likely to prove a formidable rival to the Shanghai and Cochin China. It is quite as large as the barn-door fowl, is crested, and has feathered legs; its colour is generally all white or black—when the latter, of a raven hue, and glossy. This bird is pugnacious, and its movements very lively. Its most distinguishing peculiarity is however, in the arrangement of the tail feathers. These are very few, and do not project as other birds, but drop down and lie close to the body, so that the creature appears tailless, and when its head is erect it scarcely has the appearance of a bird. Several of these birds are to be seen at Southampton, where they have been landed from the war transports.

——EXPERIENCE TEACHING "FULES."—The following conversation between two pitmen was overheard, says the *Gateshead Observer*, not long ago, by a gentleman in the south of this country: "Aw say, Geordie, man, aw beer thou's been makin' a fule o' thesel." "Ay, man, auve gotten a wife." "Wy, dis thou knaw auve dune the syam thing mesel', wat kind o' body has thou gotten?" "A parfact deeval. man—a parfect deeval." "Smash me, man!—a wish mine was nae warse than that." "Warse than that," responded Geordie, "How can she be warse than that? Isn't Beelzebub the warst crittur a man can bev for an akwentence i' this warld?" "Nought o' the kind, man—nought o' the kind. Disn't thou knaw wat the Bible says (and thou knaws it cannot be wrong)? It says, 'Resist the deevil, and he'll flee from you'; but bless thee, simple soul man—if ye resist my wife, she'll flee at yee."

——TIMES CHANGES.—I went to Edinburgh [1821], where I had not been for ten years. I found a noble passage into the town, and new since my time; two beautiful chapels, two of the handsomest library rooms in Great Britain, and a wonderful increase of shoes and stockings, streets and houses. When I lived there, very few maids had shoes and stockings, but plodded about the house with feet as big as a family Bible, and legs as large as portmanteaus. I stayed with Jeffrey. My time was spent with the whig leaders of the Scotch bar, a set of very honest, clever men, each possessing thirty-two different sorts of wine. My old friends were glad to see me; some had turned Methodists, some had lost their teeth, some had grown very rich, some very fat, some were dying, and, alas! alas! many were dead; but the world is a coarse enough place, so I talked away, comforted some, praised others, kissed some old ladies, and passed a very riotous week.—*Sydney Smith.*

——UNDER THE ROSE.—There has arisen much petty controversy about the common expression "under the rose," and two different origins have been assigned. Some people assert that it ought to be spelt "under the *rows*," for in former days almost all towns were built with the second story projecting over the lower one—a sort of piazza, or *row*, as they termed it, and which may still be seen at Chester, and some other old English towns; and that, while the elders of the family were sitting at their windows gravely enjoying the air, their sons and daughters were making love where they could not see them, "under the rows." The other is much more elegant: Cupid, it is said, gave a rose to Harpocrates, the God of Science; and from this legend originated the practice that prevailed amongst northern nations of suspending a rose from the ceiling over the upper end of the table, when it was intended that the conversation was to be kept secret; and this it was, according to others, which gave rise to the phrase, "under the rose."—*Notes and Queries.*

——Henry Colborn, Esq., the well-known publisher, died on Thursday afternoon, at his house, in Bryanston Square. He was a man of much ability and extraordinary enterprise. His public career connected him intimately